DOCUMENT RESUME

ED 429 723 PS 027 548

AUTHOR	Jaffe, Maureen; Eugenio, Marcia M.; Hillmeyer, Jack; Hurlburt, Teresa; Ledan, Marie E.; Singh, Simrin; Willcutts, Keven; Woodson, Antonio
TITLE	By the Sweat & Toil of Children. Volume V: Efforts To Eliminate Child Labor.
INSTITUTION	Bureau of International Labor Affairs (DOL), Washington, DC.
PUB DATE	1998-00-00
NOTE	275p.
AVAILABLE FROM	International Child Labor Program, Bureau of International Labor Affairs, U.S. Department of Labor, Room S-5303, 200 Constitution Avenue, NW, Washington, DC 20210; Tel: 202-208-4843; Fax: 202-219-4923; e-mail: Globalkids@dol.gov; Web site: http://www.dol.gov/dol/ilab/public/programs/iclp/
PUB TYPE	Reports - Research (143)
EDRS PRICE	MF01/PC11 Plus Postage.
DESCRIPTORS	*Access to Education; *Child Labor; Child Welfare; *Children; Compulsory Education; *Developing Nations; Educational Attainment; Enrollment; *Federal Legislation; Federal Programs; Foreign Countries; Program Descriptions; Public Policy

ABSTRACT

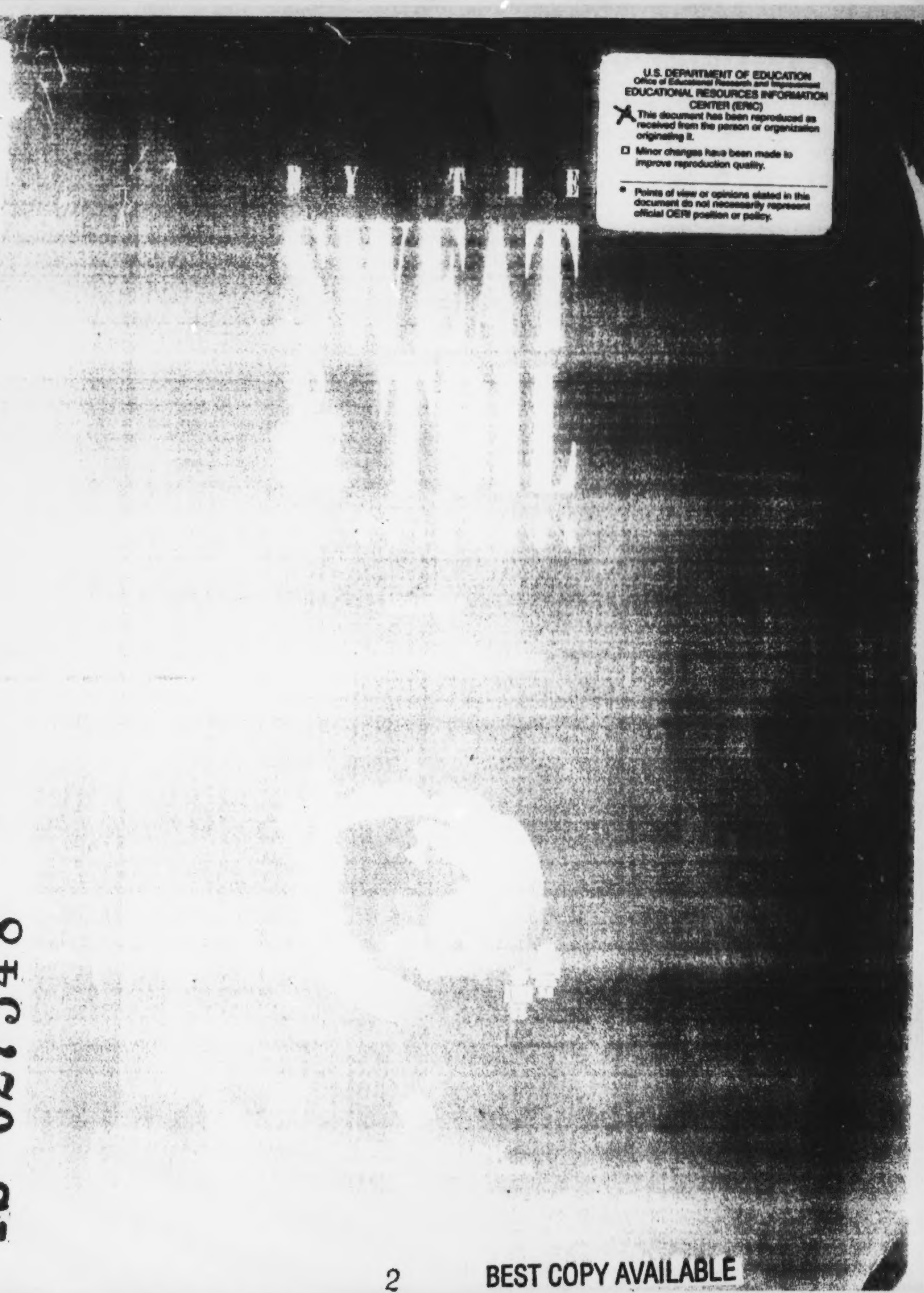
This report reviews the child labor situation in 16 countries where child labor has been identified as a problem, and the level and types of action being undertaken to reduce child exploitation. The information is based on material gathered during field visits to Bangladesh, Brazil, Egypt, Guatemala, India, Kenya, Mexico, Nepal, Nicaragua, Pakistan, Peru, the Philippines, South Africa, Tanzania, Thailand, and Turkey; testimony submitted to the Department of Labor; and other reports. The report notes that at least 250 million of 5- to 14-year-olds are working in developing countries, tens of millions under exploitative and harmful conditions. The report also identifies child labor laws for each country, notes that legislation often excludes sectors in which most children work, maintains that inadequate enforcement of child labor laws remains widespread, and asserts that child labor laws should be made comprehensive in scope and coverage and that enforcement should be improved. Further, the report describes governmental education initiatives aimed at increasing primary school enrollment, retention, and completion rates by overcoming impediments to educational attainment. Finally, the report presents examples of targeted efforts implemented or advanced by governments to address the exploitation of working children. The report concludes that the information can serve as a framework for further study and evaluation of the progress toward eliminating child labor in the countries studied. Six appendices include information on methodology, sources, and relevant child labor provisions. (KB)

****
* Reproductions supplied by EDRS are the best that can be made *
* from the original document. *
****

ED 429 723

U.S. DEPARTMENT OF EDUCATION
Office of Educational Research and Improvement
EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC)
☒ This document has been reproduced as received from the person or organization originating it.
☐ Minor changes have been made to improve reproduction quality.
• Points of view or opinions stated in this document do not necessarily represent official OERI position or policy.

BY THE



PS 027548

BEST COPY AVAILABLE

BY THE SWEAT & TOIL OF CHILDREN

Volume V:

Efforts to Eliminate Child Labor

U.S. Department of Labor
Alexis M. Herman, Secretary of Labor

Bureau of International Labor Affairs
Andrew J. Samet, Deputy Under Secretary
1998

Acknowledgments

This report was prepared under the direction of Andrew J. Samet, Deputy Under Secretary for International Labor Affairs (ILAB). The writing, editing, research, and coordination of the report was done by Maureen Jaffe and Marcia M. Eugenio together with the International Child Labor Program staff, Jack Hillmeyer, Teresa Hurlburt, Marie E. Ledan, Simrin Singh, Kevin Willcutts, and Antonio Woodson. Essential guidance and input was provided by Sonia A. Rosen, former Director of the International Child Labor Program.

Other staff of the Bureau of International Labor Affairs, the Office of the Solicitor, and the Bureau of Labor Statistics who made major contributions include: Gabriela Araujo, Kelly W. Bryant II, Ron Dobson, James A. Greene, Thelma Hackley, Sudha Haley, Brenda Hoffman, Roger Kramer, Steve Marler, Mark A. Mittelhauser, Jorge Perez-Lopez, Maureen McGarr Pettis, Gary Russell, Gregory K. Schoepfle, Robert Shepard, Alison Smith, Sydney Smith, Diane Ward, Robert D. Wholey, and Bob Zachariasiewicz. Department of Labor officials also received significant assistance from labor reporting officers, labor attaches, and other officials in U.S. embassies and consulates abroad.

This report was published by the U.S. Department of Labor, Bureau of International Labor Affairs. Copies of this and other reports in ILAB's child labor series may be obtained by contacting the International Child Labor Program, Bureau of International Labor Affairs, U.S. Department of Labor, Room S-5303, 200 Constitution Ave., NW, Washington, DC 20210. Telephone: (202) 208-4843; Fax: (202) 219-4923. Email: Globalkids@dol.gov. The reports are available on the Internet at: http://www.dol.gov/dol/ilab/public/programs/iclp/.

Other publications in ILAB's child labor series include:

1. *By the Sweat and Toil of Children (Volume I): The Use of Child Labor in U.S. Manufactured and Mined Imports* (1994).

2. *By the Sweat and Toil of Children (Volume II): The Use of Child Labor in U.S. Agricultural Imports & Forced and Bonded Child Labor* (1995).

3. *The Apparel Industry and Codes of Conduct: A Solution to the International Child Labor Problem?* (1996) [also referred to as "By the Sweat and Toil of Children (Volume III)"].

4. *By the Sweat and Toil of Children (Volume IV): Consumer Labels and Child Labor* (1997).

5. *Forced Labor: The Prostitution of Children* (1996) [Symposium Proceedings].

Also available are proceedings from public hearings on child labor held to gather information for each report.

BEST COPY AVAILABLE

Table of Contents

Executive Summary i

I. Introduction
- A. Overview 1
- B. International Standards on Child Labor 2
- C. Recent International Developments on Child Labor 3
- D. Initiatives to Combat Child Labor 7
  - 1. Child Labor Law and Enforcement 8
  - 2. Education Initiatives 8
  - 3. Targeted Efforts to Combat Child Labor 8
- E. Methodology 9
  - 1. Public Hearings 9
  - 2. Field Visits 10
  - 3. Other Reports and Materials 10

II. Child Labor: An Assessment of the Problem
- A. Overview 11
- B. Background 11
- C. Country Data on Child Labor 13
- D. Children in Hazardous Work 17
  - 1. Agriculture 17
  - 2. Fishing 21
  - 3. Manufacturing 22
  - 4. Mining and Quarrying 26
  - 5. Services 28
    - a. Domestic Workers 28
    - b. Commercial Sex Workers 31
    - c. Other Forms of Child Labor in the Service Sector 33

III. Legislation and Enforcement Efforts
- A. Overview 37
- B. Current Child Labor Laws 37
  - 1. Ages 38
  - 2. Coverage 41
  - 3. Regulation of Working Minors 44
  - 4. Fines 45
- C. Current Enforcement of Child Labor Laws 47
  - 1. Enforcement Strategies 47
  - 2. Obstacles to Effective Enforcement 48
- D. Efforts to Strengthen Laws and Enforcement 51
  - 1. Legislation 51
  - 2. Implementation and Enforcement 52

IV. Access to Primary Education

A. Overview .55
B. Education Laws and Policies .56
  1. Education and Child Labor Laws .59
C. Education Data .60
  1. Educational Attainment .60
  2. Expenditures on Education .63
D. Factors Limiting Attainment of Primary Education .66
  1. Work and Schooling .67
  2. Lack of Educational Infrastructure and Services .68
  3. Education in Rural Areas .69
  4. Gender and Ethnicity Issues .70
E. Education Initiatives .71
  1. Improvements in Educational Infrastructure and Services .72
  2. Alternative Education for Working Children .73
    a. Back-to-School Programs .74
    b. Flexible Schedules .75
  3. Economic Incentives .77
    a. Meals for Children .77
    b. Food Distribution to Families .78
    c. School Vouchers .78
    d. Cash Stipends .79

V. Targeted Initiatives to Combat Child Labor

A. Overview .83
B. Industry or Sector-Specific Initiatives .84
  1. Agriculture .85
  2. Manufacturing and Quarrying .89
  3. Services .95
C. Multi-Sector Initiatives .101
D. Summary Comments .108

VI. Conclusion

A. Child Labor in the World .109
B. The Importance of Reliable Child Labor Data .110
C. Enactment and Enforcement of Child Labor Laws .110
D. Access to Universal Primary Education .112
E. Targeted Child Labor Initiatives .114
F. Final Comments .115

VII. Appendices

Appendix A: Site Visits 117
Appendix B: Child Labor Data Methodology and Sources . . .143
Appendix C: Examples of Where Children Work 164
Appendix D: Relevant Child Labor Provisions 167
Appendix E: ILO Convention No. 138 201
Appendix F: UN Convention on the Rights of the Child 209

VIII. Country Index 229

Tables and Boxes

Box I-1: International Program on the Elimination of Child Labor 4
Table II-1: Child Labor Data 14
Table III-1: Minimum Ages for Work 39
Table IV-1: Compulsory Education and Minimum Working Age 57
Table IV-2: Educational Attainment Indicators 61
Table IV-3: Educational Financial Indicators 64
Box V-1: IPEC Members 84
Box V-2: Raising Public Awareness of Child Labor 85
Table B-1: Egypt: Census and Labor Force Sample Surveys .150
Table B-2: Peru: Economically Active Children 157
Table D-1: ILO Conventions. 167

Executive Summary

A. Congressional Mandate

This is the fifth Congressionally-mandated report in the international child labor series of the Department of Labor's Bureau of International Labor Affairs (ILAB). It reviews the child labor situation in 16 countries where child labor has been identified as a problem and the level and types of action being undertaken to reduce child exploitation in those countries. The report has been prepared in accordance with the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Bill of 1998, P.L. 105-78.

B. Overview

Until recently, child labor has not been widely recognized as an issue of important global concern. International public attention regarding child labor has steadily grown over the past few years, however, provoking worldwide discussion of the problem and possible solutions. This increasing international concern has generated actions by various governments and organizations to eliminate child labor.

This report provides an assessment of the child labor situation in 16 countries: **Bangladesh**, **Brazil**, **Egypt**, **Guatemala**, **India**, **Kenya**, **Mexico**, **Nepal**, **Nicaragua**, **Pakistan**, **Peru**, the **Philippines**, **South Africa**, **Tanzania**, **Thailand**, and **Turkey**. It reviews the extent and nature of child labor in these countries and establishes a framework that can be used in future studies to evaluate progress in eliminating the problem. While there are many policies and programs that can be implemented by governments that could have a positive impact on reducing child labor, this report focuses on three main areas: law and enforcement, provision of universal, affordable primary education, and the implementation or advancement of targeted initiatives to combat child labor. The ultimate goal of these actions is to move children out of inappropriate work and into situations where they can learn and develop to their full potential. Tens of millions of children today are deprived of this opportunity.

The information contained in the report is based on material gathered during field visits to the 16 countries, testimony submitted to the Department of Labor, and various other reports and materials. The countries visited were selected because (1) allegations of child labor were documented in previous ILAB reports, and/or (2) significant efforts are currently underway to eradicate child labor. Since uniform and reliable data were not available for all countries, the report does not rank the child labor situation across countries. Nor does it compare the present situation to that of previous years. Rather, it is intended to serve as a baseline for further study.

C. Child Labor: An Assessment of the Challenge

Chapter II describes the nature and extent of child labor in the 16 countries examined for this report, including available data on the magnitude of child labor and an overview of the types of work children perform and the conditions under which they work. The report uses International Labor Organization (ILO) Convention No. 138 on the Minimum Age for Employment as its principal standard on child labor. Under ILO Convention No. 138, the term "child labor" generally refers to any economic activity performed by a person under the age of 15. Not all work performed by children is detrimental or exploitative. Child labor does not usually refer to light work after school or legitimate apprenticeship opportunities, nor to youths helping out in a family business, with household chores, or on a family farm. Rather, the child labor of concern is generally work that prevents effective school attendance or is performed under conditions hazardous to the physical and mental health of the child.

The International Labor Organization (ILO) estimates that at least 250 million children between the ages of five and 14 are working in developing countries. Approximately 120 million of these children work full time, and tens of millions of these work under exploitative and harmful conditions. According to the ILO, the majority of the world's working children (61 percent) are found in Asia, followed by Africa (32 percent) and Latin America and the Caribbean (seven percent).

Child workers are found in a wide range of economic activities. The largest numbers work in agriculture, the services sector, and small-scale manufacturing workshops that are generally not covered under the scope of national laws. Current available data show that, on average, more boys work than girls. This gender difference, however, may be due to the fact that girls more commonly work in less visible forms of employment such as domestic service, which are often underestimated by statistical surveys.

Many of the world's working children labor in occupations and industries that are dangerous or hazardous. In agriculture, large numbers of children are exposed to harmful pesticides during their formative years. Others work in occupations and industries—including mining, construction, manufacturing, and services—in which they are exposed to toxic and carcinogenic substances such as asbestos, benzene, and mercury. Working children often perform tasks that are beyond their physical capacity, such as lifting and carrying heavy loads or handling dangerous tools and equipment. Work hazards affect children to a greater degree than adults, in some cases causing irreversible harm to their future development.

Quantitative measures of child labor are essential for setting national goals for its elimination and measuring progress once programs are instituted. However, reliable national data on child labor are rare and, when available, often incomplete. Table II-1 presents the best available official estimates of the number of working children in the 16 countries researched for this report. Appendix B provides a detailed description of the characteristics and coverage of these data.

Recently, the ILO's Bureau of Statistics has begun to provide assistance to countries in collecting and reporting child labor statistics. Through the Statistical Information and Monitoring Project on Child Labor (SIMPOC), the ILO hopes to compile enough data to create a comprehensive database on child labor within several years. While a number of countries have taken steps to improve their monitoring of child labor, many continue to lack comprehensive systems for compiling reliable and timely data.

D. Legislation and Enforcement Efforts

One of the most basic strategies for addressing the exploitation of child labor is the enactment and enforcement of child labor laws. Chapter III reviews child labor laws and enforcement efforts in the 16 countries studied for this report. All 16 countries have laws prohibiting certain forms of work by children under a specified age and regulating the conditions of work for older children.

Table III-1 outlines the basic and hazardous minimum work ages in each of the 16 countries, while Appendix D identifies relevant child labor provisions in the laws of each of these countries. The minimum age for employment in these countries varies from 12 (**Bangladesh**, **Peru**, and **Tanzania**) to 16 years (**Kenya**). In some countries, there is one basic minimum work age, while in others, there are several age standards, depending on the industry or sector.

Child labor legislation often applies only to certain sectors or exempts entire industries or occupations. The sectors most frequently excluded are those where the highest numbers of working children are found, such as small-scale agriculture, domestic service, and small-scale manufacturing. For example, in **Kenya**, the minimum work age of 16 years applies only to industrial undertakings. Likewise, in **India** and **Pakistan**, the minimum work age of 14 applies only to certain specified occupations and processes. In **Nepal**, the minimum work age of 14 does not apply to certain enterprises, such as plantations and brick kilns. Exceptions are also made in some countries for apprenticeships or educational work. In **Brazil**, for example, children under 14 are prohibited from working, except as apprentices. Employers sometimes use such exceptions to exploit children as a source of cheap and compliant labor.

All 16 countries studied have a minimum age for hazardous work, varying by country from 12 to 21 years. Some countries have a single minimum age for hazardous work, while others specify several such ages, depending on the type of work.

Despite the enactment of minimum work age laws, inadequate enforcement of such laws remains a widespread problem. Labor inspectorates are often understaffed and lack resources for transportation and other vital expenses. Training is often nonexistent or, if present, of poor quality. In many cases, the low pay of inspectors makes them easy targets for corruption. When inspectors do attempt to enforce child labor laws, they may face public indifference, hostility from powerful economic interest groups, or parental reluctance to cooperate. In addition, inadequate fines and penalties for child labor law violations often undermine their overall effectiveness.

A number of countries have recently made or are considering changes to their child labor laws, including increasing the minimum age for employment, adopting uniform child labor regulations, and/or expanding coverage of child labor laws to additional sectors or occupations. **Thailand**, for example, recently enacted a law raising the minimum age for employment from 13 to 15 years. **Bangladesh** has drafted a new labor code, currently awaiting approval by its parliament, that would impose a uniform minimum age of 14 years for all forms of work. A proposed constitutional amendment in **Brazil** would prohibit children from working before the age of 14, without exceptions. The **Philippines**, **South Africa**, and **India** are contemplating legislative proposals that would broaden the coverage of child labor laws and provide additional protection against the exploitation of children.

Several countries, including **Kenya**, the **Philippines**, **Mexico**, **Tanzania**, and **Turkey**, are taking steps to increase the number of labor inspectors, improve training, and/or introduce new enforcement strategies. A few countries, including **Brazil** and **Turkey**, are focusing their enforcement efforts on sectors where child labor is considered to be particularly exploitative and hazardous.

While such efforts are commendable, the fact that large numbers of children are still working, many under exploitative or hazardous conditions, indicates that additional efforts are urgently needed. To be effective, child labor laws should be made comprehensive in scope and coverage, and enforcement should be improved.

E. Availability of Primary Education

Universal primary education is widely recognized as one of the most effective instruments for combating child labor. It is believed that no country can successfully eliminate child labor without enacting and implementing compulsory education legislation. Schooling removes children from the work force and provides them with fundamental life skills, such as literacy, numeracy, and critical reasoning. Quality education, particularly at the primary level, not only improves the lives of children and their families, but contributes to the future economic growth and development of a country. Despite the benefits of education, about 20 percent—or 145 million—of the world's children six to 11 years old (85 million girls and 60 million boys) are out of school. In most cases, these children are working.

Chapter IV describes education initiatives aimed at increasing primary school enrollment, retention, and completion rates by overcoming impediments to educational attainment. It focuses on educational efforts by governments—that, after all, have the principal responsibility for educating children. While some governmental initiatives have targeted all school-age children, others have focused on certain marginalized groups, including working children. Chapter IV also discusses government strategies to increase children's access to primary education through provision of free or subsidized schooling, school meal programs, free transportation, flexible school hours, flexible locations, and economic incentives.

Compulsory education and child labor laws should not only reinforce but complement each other. Compulsory education laws and policies can reinforce child labor laws by keeping children in school and away from the work place. Child labor laws, in turn, can be a useful tool for retaining children in school, helping governments achieve their universal basic education objectives.

As shown in Table IV-1, 12 of the 16 countries studied for this report have national laws making primary education compulsory (**Bangladesh**, **Brazil**, **Egypt**, **Guatemala**, **Mexico**, **Nicaragua**, **Peru**, the **Philippines**, **South Africa**, **Tanzania**, **Thailand,** and **Turkey**). The number of required years of schooling varies by country, from five (**Bangladesh**) to 11 years (**Peru**). Several countries, including

Egypt, **South Africa**, and **Turkey**, have also recently passed laws extending their years of compulsory education.

For compulsory education laws to be effective, education must be made a viable choice for children and their families. Significant impediments remain, however, with regard to universal access to primary education. One of these obstacles is inadequate educational infrastructure and services. Schools may not be available, or they may be of poor quality. When schools do exist, long distances, poor roads, and lack of transportation can make them inaccessible. Teachers may be underpaid or lack the necessary training or qualifications, and in some cases, may not even show up for classes. Poor families may feel that their children's schooling does not provide them with useful skills or make a difference to their future.

In the 16 countries studied for this report, significant numbers of children are not going to school. Table IV-2, which provides data on educational attainment by country for the most recent available year (1990 to 1997), shows that less than 70 percent of children are enrolled in or attending primary school in five of the countries studied (**Guatemala**, **India**, **Nepal**, **Pakistan**, and **Tanzania**). In seven of the countries, less than 70 percent of children enrolled in primary school reach the fifth grade (**Bangladesh**, **India**, **Kenya**, **Nepal**, **Nicaragua**, **Pakistan**, and **South Africa**).

Government spending on education varies widely among the 16 countries studied. Table IV-3 presents data on education spending by country for the most recent available year (1990 to 1997). Public expenditures on education as a percentage of GNP ranged from 1.7 percent (**Guatemala**) to 7.9 percent (**South Africa**). Education spending as a percentage of total government expenditures ranged from under 10 percent (**Bangladesh** and **Pakistan**) to over 20 percent (**Mexico** and **South Africa**), and primary school spending as a percentage of total public education expenditures ranged from 18 percent (**Peru**) to over 65 percent (**Egypt** and **Nicaragua**). By comparison, according to the World Bank's *1998 World Development Indicators*, the average percentage of GNP spent on public education in 1995 was 4.6 percent in low and middle income countries, and 5.5 percent in high income countries.

Access to education is often not equitable. Children in rural areas and those belonging to marginalized groups are frequently more affected by a lack of adequate educational infrastructure. Rural children are also more likely to work. Indeed, work can constitute a major impediment to children's attendance and successful completion of primary school. Working children have low enrollment and high absentee and dropout rates. These rates may be attributable to fatigue from long hours of labor, work related injuries and illnesses, and/or work schedules that are incompatible with school hours.

Some of the countries studied have developed initiatives to make schools more accessible and improve the quality of primary education, especially in remote or rural areas. These include: the *Livro Didático* and *TV Escola* programs in **Brazil** to invest in primary school books and provide long-distance training to teachers in remote areas; the Multigrade Program in the **Philippines** that aims to increase the number of elementary and high schools in local communities; a program implemented by the **Turkish** Ministry of Labor to open new primary schools throughout the country and hire new teachers; and a program implemented by the Ministry of Education in **Egypt** to build one-classroom schools at an accelerated pace in rural communities.

A variety of programs falling under the "nonformal education" rubric provide alternative educational opportunities for working children. These initiatives provide flexible school hours to accommodate the schedules of working children, alternative school locations for migrant child laborers, curriculum diversification, back-to-school programs, vocational training, multigrade learning, and apprenticeship programs.

Some of the countries examined for this report are experimenting with strategies to help ease children's transition from work to school and allow working children and adolescents to attend school and complete their primary education. For example, in Andhra Pradesh, the state with the highest number of working children in **India**, a pilot back-to-school program has enrolled tens of thousands of children into the formal school system. In some countries, school schedules have been made more flexible in order to allow working children the opportunity to study. In **Mexico**, for example, the Secretariat of Social Development's National Agricultural Day Laborers Program (PRONJAG) recently developed a program to provide increased access to basic education to the children of migrant farmworkers, many of whom work with their parents in the fields. In **Guatemala**, new programs aim to make school more accessible to rural children who work in the fields, including migrant children who attend different schools during the same school year.

The **Nicaraguan** Ministry of Education's Extra Age (*Extra Edad*) program serves children and adolescents who are unable to complete their primary school education on the normal age and grade track. Classes are taught in modules to permit maximum attendance during off-work hours and eliminate the social stigma associated with older students attending classes with younger children. Similarly, a Child Labor Project conducted by the **Philippine** Department of Education, Culture and Sports' Bureau of Nonformal Education (BNFE) aims to reduce the number of dropouts and improve achievement in elementary schools by providing tutoring for out-of-school youth so that they are able to obtain their primary/secondary school equivalency.

In **Peru**, a number of schools have three shifts—morning, noon, and night—to allow working children to combine work with school. A flexible curriculum developed by the Ministry of Education allows teachers to give more attention and extra time to children who fall behind or miss classes because of work. Finally, a regional office of the **Philippine** Department of Education, Culture, and Sports has developed a school-based work-study program in Lapu-Lapu City directed at elementary school age children who cut stone or make firecrackers.

In addition to making schools available and improving their quality, some governments have implemented economic incentive programs to encourage families to send their children to school rather than to work. While economic incentive policies and programs have been used for over 20 years to increase school attendance and, more recently, to address child labor issues, it remains unclear whether or not such programs are effective.

One of the most common incentives policies is providing free meals to school children. A number of countries (such as **Brazil**, **Egypt**, **Mexico**, and **South Africa**) are providing free meals (breakfast and/or lunch) to attract and retain students, reduce the costs associated with school, and ensure that children get the nutrition essential for learning. In some countries (including **Bangladesh** and **Brazil**), food is distributed directly to needy families who send their children to school.

Some countries eliminate, reduce, or subsidize school fees by providing school vouchers to families in poor and marginalized communities, while others provide cash stipends to compensate poor families for income lost by sending children to school instead of to work. For instance, to offset school fees and indirect costs of schooling, the **Egyptian** Ministry of Education's Mubarak Program for Social Cooperation (established in February 1996) is providing school grants through the Ministry of Social Affairs to school children whose families earn less than 100 Egyptian pounds (US$ 29.41) per month.

The School Scholarship (*Bolsa Escola*) program in **Brazil**, established as a pilot program in the Federal District in 1995, provides a minimum monthly salary to needy families that keep all their children between the ages of seven to 14 enrolled in and attending primary school. As an additional incentive to continue education and prevent failure and dropout, Brazil's Federal District Government is also implementing the School Savings Program (*Poupança Escola*), which deposits a monthly salary in the savings account of each child enrolled in the *Bolsa Escola* program for each grade that is successfully completed, from first to eleventh grade. In **Mexico**, the PROGRESA program provides economic incentives to poor families that keep their children in school.

While the impact of these policies and programs can only be assessed by future increases in the number of children attending and completing school, they provide an important indication of the level of government commitment to the provision of universal primary education in the 16 countries studied for this report.

F. Targeted Initiatives to Combat Child Labor

Chapter V presents some examples of targeted efforts implemented or advanced by governments in the 16 countries to address the exploitation of working children. While there is a broad range of programs and policies that could positively affect poverty and other factors that lead to child labor, Chapter V only describes initiatives that directly aim to eliminate child labor and provide alternatives for them and their families.

Targeted child labor initiatives usually facilitate and complement government efforts to strengthen child labor laws and enforcement and to improve access to primary education. Such initiatives also illustrate a government's commitment to eradicating exploitative child labor. In many cases, these efforts are being implemented by governments, in partnership with nongovernmental actors. Other projects are being supported or facilitated by government entities, either through direct funding or through government participation in international initiatives such as the ILO's International Program on the Elimination of Child Labor (IPEC). All the countries studied, with the exception of **Mexico**, are currently participating in IPEC, the world's largest and most effective program to eliminate child labor. A government's participation in IPEC can be seen as an important step towards acknowledging the existence of child labor and taking an active stance towards eliminating it.

Chapter V presents several initiatives targeting specific child labor populations in agriculture, manufacturing, mining and quarrying, or the services sector, including children working as domestic servants, prostitutes, and in various street occupations. In agriculture, the initiatives described include programs to combat child labor in **Tanzania's** tea estates and tobacco farms, **Brazil's** sisal plantations, and **Mexico's** fruit and vegetable farms, as well as initiatives in **Nepal** and **Turkey** that target forced or bonded child labor in rural areas. Other programs described include initiatives in the garment and soccer ball industries of **Bangladesh** and **Pakistan**, where industry groups, international organizations, and NGOs are working together to remove and rehabilitate child laborers. Similar programs are underway to eliminate child labor in **Nepal's** carpet industry and **Brazil's** shoe industry. In **Peru**, a project is being implemented to reduce child labor in the brick making and stone quarrying industries. Finally, several efforts in **Brazil**, **Kenya**, **Nepal**, **Nicaragua**, **Peru**, the **Philippines**, **Thailand**, and **Turkey** targeting child domestic workers, child commercial sex workers, trafficked children, and children living and working on urban streets are also described.

In some countries, multi-sectoral initiatives are being undertaken to combat child labor through the rescue, removal, and rehabilitation of children from exploitative work. These multi-sectoral programs often involve a broad coalition of governmental and nongovernmental actors and community groups. In **Brazil**, the Ministry of Welfare and Social Assistance's Eradication of Child Labor Program aims to stop children in rural areas from working and assure that they attend school on a regular basis. The Government of **India** has provided funding to NGOs to implement National Child Labor Projects, which have resulted in the establishment of nonformal schools and the release of thousands of children from hazardous work. One NGO that has received funding from the Government of India is the MV Foundation, which can be credited for enrolling and retaining close to 80,000 children in school. In the **Philippines**, the Kamalayan Development Foundation conducts rescue operations with the collaboration of the government to remove child workers from exploitative work.

Several of the targeted child labor projects described not only remove children from exploitative work situations, but also provide supportive services such as educational opportunities for the children and income generation alternatives for their families. Often such multi-faceted and comprehensive programs are the most effective in eliminating and preventing the exploitation of children.

G. Conclusion

Child labor is a complex problem that requires comprehensive, multi-faceted solutions. This report describes the magnitude and nature of the child labor problem in the 16 countries studied and presents several of the innovative approaches being undertaken to address the problem. Today, numerous international organizations, governments in developing and industrialized countries, and nongovernmental actors are developing and implementing strategies and initiatives to eliminate child labor.

Accurately identifying the extent of child labor within a country is an essential step towards the development of effective strategies for eliminating and preventing the problem. Some of the efforts being undertaken by individual countries to improve the accuracy of child labor data include:

- conducting specialized national child labor surveys with the assistance of the ILO;
- using standard definitions and methodology for collecting and reporting child labor data, based on those developed by the ILO's SIMPOC program and tested in several countries; and
- institutionalizing the regular collection of child labor data by integrating a child labor component into periodic labor force surveys.

This report discusses two of the most basic and traditional governmental approaches to preventing the premature entry of children into the workforce: the enactment and enforcement of child labor legislation and the provision of universal primary education. While all of the countries studied have laws that regulate the employment of children, such laws may be limited by their narrow scope, lack of clarity, and loopholes. Furthermore, ineffective enforcement of child labor laws remains a widespread problem. Some countries faced with considerable numbers of child laborers are now taking steps to address shortcomings in their legislation and enforcement. Possible efforts in this area include:

- consolidating child labor laws and regulations in order to eliminate inconsistencies and confusion;
- increasing the legal age of employment to conform with international standards;
- increasing civil and criminal penalties for violators of child labor laws;
- improving training of labor inspectors, providing additional resources for investigations, and creating specialized inspection units that deal with child labor issues;
- developing partnerships with industry, labor groups, and NGOs to assist in identifying and preventing the exploitation of children; and
- increasing public awareness about child labor by informing the public about applicable child labor laws and penalties.

A lack of educational infrastructure and services has significantly limited children's access to quality, primary education. A number of countries are currently implementing policies and programs to improve compliance with and enforcement of compulsory education laws. Some countries also have projects aimed at increasing enrollment, attendance, and completion of primary school. Steps that countries can take to accomplish the provision of universal primary education include:

- passing legislation making primary education compulsory for all children;

- increasing educational expenditures at the primary level to increase school accessibility and the quality of instruction (for example, enabling construction of new schools, improving existing infrastructure, and authorizing increases in teacher salaries and training);
- alleviating the costs associated with education that can prevent poor families from sending their children to school by providing transportation, subsidizing the costs of school meals, uniforms, supplies, and books, and eliminating school fees; and
- eliminating inconsistencies between child labor and compulsory education laws.

This report also discusses targeted projects, implemented or advanced by governments, that focus on removing children from exploitative work and providing them with educational opportunities. As with efforts to combat child labor through law and enforcement and through the provision of universal primary education, targeted child labor projects provide a useful indication of a government's commitment to the elimination of this problem. Key elements of targeted child labor projects include:

- targeting child labor in sectors or occupations that are hazardous and harmful to a child's development;
- removing children from exploitative work and providing them with alternatives, such as education or vocational training;
- providing income-generating opportunities for families of former child laborers;
- establishing partnerships among governmental and nongovernmental actors and international organizations such as the ILO and UNICEF and drawing on participants' respective expertise and resources; and
- raising awareness among vulnerable groups of children's rights and the dangers of premature entry into the workforce.

The information presented in this report can serve as a framework for further study and evaluation of the progress being made toward eliminating child labor in the countries studied. Ultimately, the best way to determine such progress is by documenting a reduction in the overall number of children working and an increase in the percentage of children attending and completing primary school.

I. Introduction

> *Child labour is simply the single most important source of child exploitation and child abuse in the world today. But there are grounds for optimism. The world we now know is radically different from what it was some 15 years ago. It offers new opportunities and possibilities and there is an emerging consensus that the world community has the duty and the obligation to combat especially those intolerable forms of child labour that still persist in much of industry, agriculture and services and in conditions of bondage and serfdom.*
>
> *Child Labour: Targeting the Intolerable*
> (Geneva: International Labor Organization, 1996) 4.

A. Overview

The U.S. Department of Labor's Bureau of International Labor Affairs (ILAB) has, under Congressional mandate, been researching and documenting the use of child labor worldwide since 1993.[1] This report is the fifth volume in ILAB's international child labor series.[2]

Until recently, child labor has not been widely recognized as an issue of important global concern. International public attention regarding child labor has steadily grown over the past few years, however, provoking worldwide discussion of both the problem and possible solutions. This increasing international concern has generated a variety of actions by governments and organizations to combat the exploitation of child labor.[3] Unfortunately, some countries have still not seriously addressed their child labor problem. These countries often lack the political will and/or resources to implement actions that could significantly reduce the economic exploitation of children.

---

[1] ILAB's child labor reports have been requested by the Appropriations Committees of the United States Congress. ILAB's earlier child labor reports are titled *By the Sweat and Toil of Children (Volume I): The Use of Child Labor in U.S. Manufacturing and Mining Imports (1994)*; *By the Sweat and Toil of Children (Volume II): The Use of Child Labor in U.S. Agricultural Imports & Forced and Bonded Child Labor (1995)*; *The Apparel Industry and Codes of Conduct: A Solution to the International Child Labor Problem? (1995)* [hereinafter *Apparel Industry and Codes of Conduct*], and *By the Sweat and Toil of Children (Volume IV): Consumer Labels and Child Labor* [hereinafter *By the Sweat and Toil of Children IV*]. ILAB also published *Forced Labor: The Prostitution of Children*, proceedings of a symposium on the sexual exploitation of children held at the U.S. Department of Labor in 1995, and *Report on Labor Practices in Burma* (1998), which contains a chapter on child labor.

[2] This report has been prepared in accordance with the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Bill of 1998, P.L. 105-78; Senate Report No. 58, 105th Congress, First Session 25-26, 1997.

[3] In the 1998 State of the Union Address, President William J. Clinton announced a new initiative to fight "the most intolerable labor practice of all—abusive child labor" and asked other nations to join the United States in this effort. *See* President William J. Clinton, "State of the Union Address," (January 27, 1998) [hereinafter "State of the Union Address"]. United States Secretary of Labor Alexis M. Herman, in her statement to the Child Labor Committee at the June 1998 International Labor Conference, echoed the United States' dedication to eliminating the worst forms of child labor, calling on the world community to "take the struggle for the world's children to a new and higher level of commitment and action." *See* "Statement of U.S. Labor Secretary Alexis M. Herman," International Labor Conference, Child Labor Committee, Geneva (June 11, 1998) [hereinafter "Statement of U.S. Labor Secretary"].

BEST COPY AVAILABLE

This report provides an assessment of the child labor situation in 16 countries.[4] It reviews the extent and nature of child labor in these countries and establishes a framework that can be used in future studies to evaluate progress in eliminating the problem. The information contained in this report is based on material gathered during field visits to the 16 countries, testimony submitted to the Department of Labor, and various other reports and materials. Since uniform and reliable data were not available for all countries, this report does not attempt to make comparisons or rankings among countries. Nor does it compare the present situation to that of previous years. Rather, it serves as a baseline for further study.

While there are many policies and programs that can be implemented by governments that could have a positive impact on reducing child labor, this report focuses on three main areas: law and enforcement, provision of primary education, and the implementation or advancement of targeted initiatives to combat child labor. The ultimate goal of these actions is to move children out of inappropriate work and into situations where they can learn and develop to their full potential. Tens of millions of children today are deprived of this opportunity.

This introduction provides an overview of international standards on child labor and describes recent international developments. It also presents an initial discussion of three key areas where action may be undertaken to alleviate exploitative child labor. Finally, it describes the methodology used to prepare this report. Chapter II describes the nature and extent of child labor in the 16 countries examined for this report, including available data on the magnitude of child labor and an overview of the types of work children perform and the conditions under which they work.

The remaining chapters describe actions taken by governments and other actors to combat child labor in the 16 countries studied for this report. Chapter III focuses on efforts to reduce child labor through law and enforcement. It describes child labor laws, their enforcement, and current efforts to strengthen both the laws and their enforcement. Chapter IV describes governmental efforts to provide universal, primary education in the 16 countries, obstacles to school attendance, and several governmental initiatives to increase access to education. Finally, Chapter V describes targeted efforts to combat child labor and alleviate conditions that may lead to child labor. These efforts are either being implemented by governments or being facilitated through governmental policies, programs, or assistance. In the latter case, they may be implemented by international organizations, industry groups, labor unions, nongovernmental organizations (NGOs), or partnerships among any of these groups.

B. International Standards on Child Labor

This report uses International Labor Organization (ILO) Convention No. 138 on the Minimum Age for Employment as its principal standard on child labor. Under ILO Convention No. 138, the term "child labor" generally refers to any economic activity performed by a person under the age of 15.[5] Not all work performed by children is detrimental or exploitative. Child labor does not usually refer to performing light work after school or legitimate apprenticeship programs. Nor does it refer to youths helping out in the family business, with household chores, or on the family farm. Rather, the child labor of concern is generally work that prevents effective school attendance or is performed under conditions hazardous to the physical and mental health of the child.[6]

---

[4] These 16 countries, which were visited by U.S. Department of Labor officials in February through June of 1998, are the following: Bangladesh, Brazil, Egypt, Guatemala, India, Kenya, Mexico, Nepal, Nicaragua, Pakistan, Peru, the Philippines, South Africa, Tanzania, Thailand, and Turkey.

In June 1998, representatives of governments and workers' and employers' organizations from 174 countries met at the ILO in Geneva to discuss a new convention on the worst forms of child labor. The draft convention calls on countries to take measures to secure the prohibition and elimination of the worst forms of child labor and requires governments to establish plans of action aimed at prevention, rehabilitation, and elimination.[7]

C. Recent International Developments on Child Labor

Recent years have brought various notable international developments relating to child labor. The international community—including governments, international and non-governmental organizations, consumer activists, corporations, and the media—is becoming increasingly involved in child labor issues.

Until recently, child labor was not of major concern at either the national or international level, and the ILO was one of the few organizations addressing the issue.[8] Today, 34 countries have joined the ILO's International Program on the Elimination of Child Labor (IPEC), including 15 of the 16 countries studied in this report, and many more are interested in participating (*see* Box I-1). Governments' participation in IPEC can be seen as an important step towards acknowledging the existence of child labor and taking an active stance towards eliminating it. The United Nations Children's Fund (UNICEF), working with governmental and non-governmental partners, promotes universal access to quality and affordable primary education and the removal of children from exploitative work.[9] In addition, interna-

---

[5] The ILO establishes and supervises the application of international labor standards—including child labor standards. ILO Convention No. 138 permits countries whose economy and educational facilities are insufficiently developed to initially specify a minimum working age of 14 (rather than 15), and reduce from 13 to 12 years the minimum age for light work. Convention No. 138 defines "light work" as work that is not likely to harm children's health or development, or prejudice their attendance at school. The convention prohibits all children under the age of 18 from undertaking hazardous work—that is, work that is likely to jeopardize their health, safety, or morals. See Appendix E for the full text of ILO Convention No. 138.

[6] Another widely recognized standard is the 1989 United Nations Convention on the Rights of the Child (CRC). Article 32 of this convention establishes the right of a child to be protected from economic exploitation and from performing any work that is likely to be hazardous, interferes with his or her education, or is harmful to his or her health, or physical, mental, spiritual, moral, or social development. *See* Appendix F for the full text of the Convention on the Rights of the Child.

[7] United States Secretary of Labor Alexis M. Herman stated that she came to Geneva with "clear instructions directly from the President: to underline the United States' strong support for the negotiation of a new convention to end the worst forms of child labor." *See* "Statement of U.S. Labor Secretary."

[8] *Child Labour: Targeting the Intolerable* (Geneva: ILO, 1996) 4 [hereinafter *Targeting the Intolerable*].

[9] Electronic correspondence from Dita Reichenberg, UNICEF, to U.S. Department of Labor official (November 2, 1998).

BOX 1-1

International Program on the Elimination of Child Labor

In 1992, the International Labor Organization (ILO) created the International Program on the Elimination of Child Labor (IPEC) to implement technical cooperation activities in countries with significant numbers of child laborers. The objective of the IPEC program is the elimination of child labor, particularly children working under forced labor conditions and in bondage, children in hazardous working conditions and occupations, and especially vulnerable children, such as working girls and very young working children (under 12 years of age). There are currently 34 countries participating in IPEC; an additional 19 countries await IPEC assistance for which no funds are yet available.

Countries participating in IPEC sign a Memorandum of Understanding outlining the development and implementation of IPEC activities and the efforts to be undertaken by governments to eradicate child labor progressively. IPEC National Program Steering Committees are then established with participation of government, industry, labor representatives, and experienced NGOs to review national activities and select program proposals. IPEC provides technical assistance to governments, but most of its direct action programs are carried out by local NGOs and workers' and employers' organizations. These programs are aimed at preventing child labor, withdrawing children from exploitative and hazardous work and providing alternatives, and improving working conditions as a transitional measure towards the total elimination of child labor.

IPEC activities include raising awareness about child labor problems in developing countries and creating alliances among governments, trade unions, employers, and NGOs to overcome child labor. IPEC also assists countries in drawing up national policies and legislation; carries out situation analyses to determine the nature and magnitude of the problem; assists in strengthening institutions to administer policies and laws; advises and supports direct action to withdraw children from the workplace; and assists in integrating child labor policies systematically into social and economic development policies. In coordination with the ILO's Bureau of Statistics, IPEC has also assisted countries to improve their information base on child labor by designing a survey methodology which enables countries to obtain baseline statistics, and by using a rapid assessment technique to quickly obtain qualitative and quantitative information about child labor problems for the development of action programs. IPEC has carried out many activities in collaboration with the United Nations Children's Fund (UNICEF).

IPEC activities are financed by donor countries. The main donor countries include Germany, Spain, and the United States. To date, the United States has contributed over US $8 million to finance IPEC regional projects in Africa and Central America and country projects in Bangladesh, Brazil, Costa Rica, the Dominican Republic, El Salvador, Guatemala, Nepal, Nicaragua, Pakistan, the Philippines, South Africa, and Thailand. In 1998, the Clinton Administration requested and received an additional US $30 million to continue its child labor activities, including support of IPEC programs, in fiscal year 1999.

tional financial institutions such as the World Bank have begun to evaluate how their programs and actions may impact the situation of children.[10]

In the spring of 1998, over 1,400 NGOs around the world showed their concern for the plight of child workers by supporting the historic Global March against Child Labor. This march traveled for six months through more than 60 countries across Africa, Asia, Europe, and the Americas. The goals of the Global March were to raise awareness about child labor issues, urge governments to ratify and enforce laws protecting children and providing them education, demand the immediate elimination of the most exploitative forms of child labor, promote positive actions by employers and consumers, ensure the proper rehabilitation of child laborers, and mobilize greater national and international funding to support education for all children.[11]

Three large international conferences focusing on child labor brought together representatives of governments, workers, employers, and NGOs of industrialized and developing countries in Stockholm (1996), Amsterdam (1997), and Oslo (1997). A number of regional meetings and conferences also were held during this period. These international and regional meetings resulted in a variety of action agendas to combat child labor.

Until recently, many governments denied that exploitative child labor existed in their countries.[12] Government leaders of developing countries rarely addressed the issue of child labor publicly, with the exception of notable statements made by former Indian Prime Minister P.V. Narasimha Rao in 1994, Brazilian President Henrique Cardoso in 1995, and former Pakistani Prime Minister Benazir Bhutto in 1996.[13]

In 1998 alone, however, the heads of state of a number of developing and industrialized countries made high-profile statements on child labor, either acknowledging the problem or announcing their intention to address it. President Clinton, in his 1998 State of the Union Address, announced a new initiative to fight "the most intolerable practice of all—abusive child labor."[14] In February 1998, President Henrique Cardoso stated that the "federal government is willing to use all its

---

[10] *See generally* "Child Labor: Issues and Directions for the World Bank," (Washington, D.C.: World Bank, 1997) and "Facts and Figures about the World Bank Group" (www.worldbank.org/html/extdr/faq/faqf98-001.htm).

[11] "Global March against Child Labor" (www.globalmarch.org).

[12] *Targeting the Intolerable* at 4.

[13] In 1994, former Indian Prime Minister Rao announced a national program to combat child labor and pledged to abolish all hazardous forms of child labor by the year 2000. *See* "Written Submission by the Embassy of India," *Public Hearings on International Child Labor* (Washington, D.C.: U.S. Department of Labor, 1998) 3. Brazilian President Henrique Cardoso, in a June 1995 radio address, acknowledged that slave labor and child labor have not ended in Brazil and created an executive task force to crack down on forced labor. *See* Foreign Broadcast Information Service (FBIS) report dated June 27, 1995 containing translated text of speech [on file]. In 1996, former Pakistani Prime Minister Benazir Bhutto announced a government plan to eliminate child labor, noting that "our goal is to ease the conditions of child workers, and we fully understand our moral, political and legal responsibility to our people and to our children." *See* "Pakistan to End Child Labour, Bhutto Says," *Reuters* (August 20, 1996).

[14] *See* "State of the Union Address."

BEST COPY AVAILABLE

resources to remove children from [exploitative] work" and emphasized that the elimination of child labor must be a joint effort by mayors, governors, labor unions, churches, and civil society.[15] Ugandan Prime Minister Kintu Musoke stated in a February 1998 speech that "child labor has become a reality in Africa, and if the situation remains unchecked, Africa risks losing all her efforts towards lasting development."[16] In March 1998, South African President Nelson Mandela expressed his concern about the "large number of children subjected to child labor in South Africa and worldwide," and stated that it will take concerted action to "rescue our children from child labor and prevent a new generation of children from becoming victims."[17]

Prime Minister Nawaz Sharif of Pakistan, in an April 1998 speech, stated that "the problem of child labor occupies a prominent place in the priority agenda of the Government of Pakistan," and urged international organizations and human rights activists to continue their struggle for the rights of children.[18] In a September 1998 statement addressing the impact of the Asian financial crisis on child labor, South Korean President Kim Dae Jung stated that "economic progress built with the thin, weak hands of children can never be the future of Asia," and added that "forcing children to discontinue their education and making them enter the dangerous labor market robs us of our future."[19]

Some countries have been part of regional commitments to eliminate child labor. Member states of the South Asian Association for Regional Cooperation (SAARC), for example, pledged to eliminate all hazardous child labor by the year 2000 and to end all forms of child labor by 2010.[20] The Cartagena Declaration on the Eradication of Child Labor, signed by 18 Latin American states and Spain in May 1997, called for the progressive eradication of child labor and a rejection of child labor's most intolerable forms.[21] A similar call for the abolition of child labor was made in February 1998 by delegates from 22 African states at the African Regional

---

[15] "Até o final do ano, governo tira mais 130 mil crianças do trabalho" (Palmares: February 13, 1998) (www.radiobras.gov.br/discant/1998/discurso_1302_1.htm).

[16] "ILO Director-General Warns of 'Tragedy' of Child Labor in Africa: Ugandan President Pledges Support as Kampala Conference Opens," ILO press release (February 5, 1998).

[17] "President Nelson Mandela Sends Message in Support of the Global March against Child Labor" (Capetown: March 21, 1998) (www.globalmarch.org/about_the_march/speeches.htm).

[18] "Prime Minister's Statement on Global March against Child Labor" (Islamabad: March 1998) [on file].

[19] Kevin Sullivan, "A Generation's Future Goes Begging; Asia's Children Losing to Destitution," *The Washington Post* (September 7, 1998) A1.

[20] *See Rawalpindi Resolution on Children of South Asia*, SAARC (August 20-22, 1996) [on file]. This resolution was endorsed at the Ninth SAARC summit in May 1997. *See Malé Declaration of the Ninth SAARC Summit*, SAARC (May 12-14, 1997) Article 29 [on file]. In Article 27, members pledged to take effective measures to address the trafficking of women and children. SAARC members are Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan, and Sri Lanka.

[21] *Cartagena Declaration on the Eradication of Child Labor*, First Iberoamerican Tripartite Ministerial Meeting on the Eradication of Child Labor, Cartagena, May 8-9, 1997. The Cartagena Declaration was signed by Argentina, Bolivia, Brazil, Colombia, Costa Rica, Cuba, Chile, Ecuador, El Salvador, Spain, Guatemala, Haiti, Honduras, Nicaragua, Panama, Paraguay, Dominican Republic, Uruguay, and Venezuela.

Tripartite Meeting on Child Labor, where, once again, priority was given to the suppression of the most extreme forms of chid labor.[22]

Another important development in recent years has been an increase in consumer awareness of child labor abuses around the world. Significant media coverage of the issue has generated consumer and corporate concerns regarding the use of exploitative child labor. These concerns have given rise to codes of conduct and labeling programs that prohibit the use of child labor in the manufacture of certain goods.[23] A recent development in this area is the establishment of a code of labor practice by the Sydney Organising Committee for the Olympic Games (SOCOG) and the Sydney Paralympic Organizing Committee (SPOC). The code requires these organizations to audit companies to ensure that they do not use child labor prior to licensing them to use the SOCOG/SPOC name or logo.[24]

D. Initiatives to Combat Child Labor

The causes of child labor are many and complex—as are its solutions. This report identifies three key areas where concentrated action to reduce child labor may be most effective: 1) child labor law and enforcement; 2) provision of universal primary education; and 3) targeted programs to prevent exploitative child labor, remove children from work, and provide rehabilitation and other services to children and their families. One way to measure a country's commitment to ending exploitative child labor is to assess its level of effort in these three areas.

Successful eradication of exploitative child labor requires a clear governmental commitment. Two of the three areas listed above—implementing and enforcing adequate child labor laws and providing universal primary education—are largely the domain of governments. Targeted programs to combat child labor, however, are often the product of partnerships among other entities, including international and nongovernmental organizations, trade unions, and industry groups.

Ultimately, the best way to measure progress in eliminating child labor is with quantitative data showing a decline in the number of working children over time. Reliable child labor data are rare, but efforts are underway in several countries—with assistance from the ILO—to improve data collection methods. These efforts in and of themselves show a commitment by participating governments to address child labor in their countries.[25] The current status of child labor data collection and ILO efforts in this area are discussed in further detail in Chapter II.

---

[22] "Conference Calls for Abolition of Child Labour in Africa—Poverty is cited as the Fundamental Cause," ILO press release (February 7, 1998) (www.ilo.org/public/english/235press/pr/1998/6.htm). The conference was attended by delegates from Benin, Burkina Faso, Cameroon, Cote d'Ivoire, Egypt, Ethiopia, Ghana, Guinea, Kenya, Madagascar, Mali, Mauritius, Mozambique, Niger, Nigeria, Senegal, South Africa, Tunisia, Tanzania, Zambia, Zimbabwe, and Uganda.

[23] For more information on codes of conduct and labeling initiatives relating to child labor, see *Apparel Industry and Codes of Conduct* and *By the Sweat and Toil of Children IV*.

[24] "Code of Labour Practice for Production of Goods Licensed by the Sydney Organising Committee for the Olympic Games and the Sydney Paralympic Organising Committee" (Sydney: SOCOG, 1997) [on file]. *See* also U.S. Embassy-Canberra, unclassified telegram no. 3275, September 3, 1998. The International Olympic Committee (IOC) has also joined forces with the ILO to establish a working group to organize activities contributing to the elimination of poverty and child labor around the world. *See Cooperation Agreement between the International Olympic Committee and the International Labour Organization*, signed on January 19, 1998, Lausanne, Geneva.

1. Child Labor Law and Enforcement

Child labor laws define when and under what circumstances a child can or cannot work. Adequate laws are thus an essential component in combating child labor. Almost every country has laws prohibiting the employment of children below a certain age. Nevertheless, child labor laws in many countries exclude certain sectors from their scope—often the very sectors where the highest numbers of working children are found.[26] In some cases, penalties for violating child labor laws are inadequate. Probably the most common obstacle to adequate legal protection for children is the fact that existing legislation is not enforced.

National legislation on child labor may be complemented by ratification of international treaties. The two primary international treaties on child labor are ILO Convention No. 138 and the United Nations Convention on the Rights of the Child.

2. Education Initiatives

Education equips children with fundamental life skills—literacy, numeracy, and critical thinking ability. Education is perhaps the most important investment a society can make in its young. Denying education to working children can marginalize them for life and impoverish the future of a country.[27]

Compulsory and accessible education reinforces child labor legislation. Every full-time student is one less full-time child worker. Many developing countries have adopted compulsory education laws but have not made school a viable option for all children. In many cases, schools are not accessible or the cost of attending school is prohibitive. Available schooling may be of poor quality or be perceived by some families as irrelevant. About 145 million children between the ages of six and 11, or one-fifth of all children in this age group, mostly in low-income countries, are not in school.[28]

3. Targeted Efforts to Combat Child Labor

The concentrated use of child labor in certain highly visible industries has, in some cases, led to the development or advancement by governments of programs to phase out the use of child labor in those industries. Often these programs are spurred by intense media attention or public campaigns calling attention to child labor abuses. Participation by industry or labor groups, NGOs, and international organizations such as the ILO and UNICEF is common.

---

[25] Ironically, those countries with more extensive data on child labor incidence can end up appearing to have a greater incidence of child labor than countries with little or no data. It is thus important to recognize governmental initiatives to gather more reliable data as a positive step in ongoing efforts to reduce child labor.

[26] *Strategies for Eliminating Child Labour: Prevention, Removal and Rehabilitation* (Oslo: International Conference on Child Labour, ILO/UNICEF, October 1997) 14 [hereinafter *Strategies for Eliminating Child Labour*].

[27] A. Bequele and W.E. Myers, *First Things First in Child Labor: Eliminating Work Detrimental to Children* (Geneva: ILO/UNICEF, 1995) 119.

[28] *World Education Report*, 1995 (Paris: UNESCO, 1995) 18-19.

There is increasing consensus that to be effective, such targeted programs need to do more than remove children from work. Removal alone, without ensuring children's access to education and other services, could have harmful consequences for children and their families. Therefore, it is important that the removal of children from work be accompanied by a range of supportive measures.[29]

Myriad other social programs aimed at poverty alleviation, health and nutrition, and income generation and employment creation for adults can also help reduce and prevent child labor. Such programs, which address underlying social and economic conditions that contribute to child labor, are often long-term efforts that do not produce immediate results. The wide range of important development programs that could be seen as having a beneficial impact on reducing poverty and thereby child labor are beyond the scope of this report. Rather, this report focuses on programs directly aimed at the prevention and elimination of child labor and the reintegration of children into school and family life.

E. Methodology

This report reviews the extent and nature of child labor in 16 countries and describes current efforts to eradicate it. These efforts include enactment and enforcement of child labor legislation, promotion of education initiatives, and implementation of initiatives targeted at preventing and combating child labor. The child labor efforts and initiatives discussed in this report do not, however, represent an exhaustive list of initiatives to eradicate child labor in the 16 countries studied.

This report does not evaluate the relative effectiveness of many of the programs presented, given the relatively short period of time that many of them have been in place. However, where information is available on the impact of a given effort, this information is included.

To gather information for this report and supplement publicly available information, the U.S. Department of Labor held a public hearing and conducted field visits to 16 countries in various regions of the world. This report covers only these 16 countries. The sources of information for the report are described in more detail below.

1. Public Hearing

The U.S. Department of Labor held a public hearing to gather information for this report on February 13, 1998. Public notice of the hearing was given through the *Federal Register*.[30] Letters of invitation to the hearing were sent to a wide range of domestic and foreign groups, including human rights groups, international organizations, trade unions, corporations, trade associations, consumer groups, and foreign governments. They were invited to present oral testimony, submit a written statement for the record, or both. The record was kept open for written statements until February 25, 1998.

---

[29] *Strategies for Eliminating Child Labour* at 15.

[30] *Federal Register* (vol. 63, no. 5, January 8, 1998) 1125.

Eight witnesses attended the hearing and presented oral testimony; seven of these witnesses also presented written statements for the record. In addition, 59 individuals, foreign governments, and organizations submitted written statements for the record.[31]

2. Field Visits

From February through June 1998, U.S. Department of Labor officials traveled to 16 countries: **Bangladesh**, **Brazil**, **Egypt**, **Guatemala**, **India**, **Kenya**, **Mexico**, **Nepal**, **Nicara,** **Pakistan**, **Peru**, the **Philippines**, **South Africa**, **Tanzania**, **Thailand**, and **Turkey**. The objective of the visits was to learn about the extent and nature of child labor in these countries and the ongoing efforts to eradicate it. These countries were selected because (1) allegations of child labor were documented in previous ILAB reports[32] and/or (2) significant efforts are currently underway to eradicate child labor. In planning the field visits, U.S. Department of Labor officials met in Washington, D.C. with embassy representatives of the countries to be visited as well as with NGOs knowledgeable about child labor issues in these countries. Labor reporting officers, labor attaches, and other officials in U.S. embassies and consulates abroad provided significant assistance in planning the field visits.

In each of the 16 countries visited by U.S. Department of Labor officials, interviews were held with as many relevant persons and organizations as possible. These included government officials, employers (including manufacturers, production managers, and growers), trade associations, trade unions, workers, community activists, human rights groups, academics, journalists, international organizations, children's organizations, and other NGOs. In some countries, U.S. Department of Labor officials also visited production facilities, including factories, workshops, and farms. Appendix A contains a list of meetings held during the visits.

3. Other Reports and Materials

A wide variety of other reports and materials collected by ILAB's International Child Labor Program were also considered in preparing this report. These include materials from a number of international organizations, NGOs, trade unions, and employers' groups, as well as published news reports and information received from U.S. embassies and consulates abroad. Information from Volumes I through IV of the U.S. Department of Labor's international child labor series is also included in the report as appropriate.

---

[31] For a transcript of the hearing and a copy of all statements submitted for the record, *see Public Hearings on International Child Labor, Volumes I and II* (Washington, D.C.: U.S. Department of Labor, February 13, 1998).

[32] *See* footnote 1 for a list of ILAB's previous international child labor reports.

II. Child Labor: An Assessment of the Problem

A. Overview

This chapter provides an assessment of the nature and extent of child labor in the 16 countries studied for this report. This assessment provides a context for Chapters III through V, which focus on governmental efforts to address the problem. Section B of this chapter presents some general background on child labor, including the types of enterprises where children most commonly work and common physical and developmental hazards of their work, and discusses some of the reasons for children's premature entry into the workforce. Section C presents quantitative data on the extent of child labor in each of the 16 countries. Section D contains a survey of the types of work children perform in these countries and the conditions under which they work in the agriculture, fishing, manufacturing, mining and quarrying, and service sectors.

As explained in the previous chapter, not all forms of child work are considered exploitative or abusive. Certain types of work, including legitimate apprenticeships or helping parents in a family business, can be formative learning experiences for children. Rather, the type of child labor that is the focus of current international eradication efforts is abusive commercial exploitation of children, which is either hazardous work or work that prevents young children from receiving an education. While the focus of this chapter is exploitative child labor, most available quantitative data, including that presented in Section C, do not make a distinction between abusive and nonabusive work.

B. Background

The International Labor Organization (ILO) estimates that there are at least 250 million working children between the ages of five and 14 in developing countries.[1] About half, or 120 million, work full-time, while the rest combine work with school or other activities.[2] Many millions of these children work under conditions that are clearly abusive or dangerous.[3] According to the ILO, the majority of the world's working children (61 percent) are found in Asia, followed by Africa (32 percent), and Latin America and the Caribbean (seven percent).[4] While Asia has the

---

[1] *See* "Child Labour in the World," fact sheet from *Abolishing Extreme Forms of Child Labour* (Geneva: ILO, 1998) [hereinafter "Child Labour in the World" fact sheet]. The ILO considers this figure to be an underestimate since it does not include children working in non-economic activities such as household work in the homes of their parents or guardians. Fifteen to 20 percent of children in the five to 14 age group are estimated to be engaged in such activities. *See World of Work: The Magazine of the ILO*, no. 22 (December 1997) 24 [hereinafter *World of Work*].

[2] *World of Work* at 24.

[3] *Child Labour: Targeting the Intolerable* (Geneva: ILO, 1996) 8-9 [hereinafter *Targeting the Intolerable*].

[4] About 0.2 percent of child workers are found in Oceania (excluding Australia and New Zealand). "Statistics on Working Children and Hazardous Child Labour in Brief" (www.ilo.org/public/english/120stat/actrep/childhaz.htm).

BEST COPY AVAILABLE

highest number of child workers, Africa has the highest proportion of children working, with 41 percent of children between five and 14 years old engaged in some form of economic activity.[5]

Child workers are found in a wide range of economic activities. The largest numbers work in agriculture, services, and small-scale manufacturing workshops that are generally not covered by national laws. Children are rarely employed in medium or large enterprises, except in commercial agriculture in some countries.[6] However, it is common practice for larger enterprises to subcontract certain labor-intensive tasks to small workshops or home-workers employing children.

Current available data show that, on average, more boys than girls work. This gender difference, however, may be due to the fact that girls more commonly work in less visible forms of employment such as domestic service, which are often underestimated by statistical surveys.[7]

Many of the world's working children labor in occupations and industries that are dangerous or hazardous.[8] In agriculture, large numbers of children are exposed to harmful pesticides during their formative years. Others work in occupations and industries—including mining, construction, manufacturing, and automobile repair—in which they are exposed to toxic and carcinogenic substances such as asbestos, benzene, and mercury.[9]

Working children often perform tasks that are beyond their physical capacity, such as lifting and carrying heavy loads or handling dangerous tools and equipment.[10] For some child workers, including children working in domestic services, verbal and sexual abuse and physical punishment by adults are routine.[11] Other children, trapped in indentured servitude or similar forms of bondage, work in virtual slavery.[12]

Work hazards affect children to a greater degree than adults, in some cases causing irreversible harm to their physical development, with serious consequences for their futures.[13] For one, children beginning work at a young age have a longer period of exposure to cumulative hazards. Carrying heavy loads or adopting unnatural positions during work can permanently distort or disable a child's growing body. Working children often grow up to be smaller than their counterparts who have attended school.[14] Children are particularly vulnerable to accidents since they are often unaware of the dangers or precautions to be taken at work.[15] Safety equipment designed for adults often does not fit children, and tools and equipment designed for adults are difficult for children to handle.[16]

---

[5] *See* "Child Labour in the World" fact sheet.

[6] *Ibid.*

[7] *Ibid.*

[8] *Targeting the Intolerable* at 3.

[9] *Ibid.* at 10-11.

[10] A. Bequele and W.E. Myers, *First Things First in Child Labour: Eliminating Work Detrimental to Children* (Geneva: ILO/UNICEF, 1995) 9 [hereinafter *First Things First*]. *See also Targeting the Intolerable* at 10-11.

[11] *First Things First* at 13.

[12] *Targeting the Intolerable* at 15.

[13] Valentina Forastieri, *Children at Work: Health and Safety Risks* (Geneva: ILO, 1997) 10 [hereinafter *Children at Work*].

In addition to the health and safety risks of beginning work at an early age, child labor perpetuates poverty.[17] Children who are deprived of education and whose physical development is harmed from work at an early age are likely to have lower earning prospects throughout their adult lives. A working child often becomes an adult limited to unskilled and poorly paid jobs.[18]

Various factors contribute to children's early entry into the workforce. In many cases, working children lack access to quality education. In addition, work that is based on a piece-rate or per-task pay structure often leads parents to call upon their children to contribute to family earnings. In some cases, employers and other adults perceive some of the most menial and labor-intensive processes as "children's work." Children are cheaper to hire than adults. But some major explanations for hiring children are noneconomic. Children are less aware of their rights, more compliant, and more willing to do monotonous work without complaining.[19]

C. Country Data on Child Labor

This section presents country-specific data on child labor in the 16 countries studied for this report. Identifying the extent to which child labor exists within a country is the cornerstone for developing an effective response to the problem. Quantitative measures of child labor are essential for setting national goals for its elimination and for measuring progress once programs are instituted. However, reliable national data on child labor are rare and, when available, often incomplete. Standard employment surveys are often not specially designed to capture child labor, and employers and households may be reluctant to report when children are working. Furthermore, since child labor is illegal in most countries, many governments do not collect employment data on persons below the minimum age.

In recent years, the ILO's Bureau of Statistics has worked to improve child labor data collection and reporting methods. It has designed a child labor survey methodology and provided technical assistance to several countries, including many members of the ILO's International Program on the Elimination of Child Labor (IPEC).[20] With technical expertise provided by the ILO, 15 countries have completed

---

[14] *Targeting the Intolerable* at 3.

[15] *Ibid.* at 12-13.

[16] *Children at Work* at 21.

[17] *The State of the World's Children 1997* (New York: UNICEF, 1996) 20.

[18] *Ibid.*

[19] *Targeting the Intolerable* at 19-20.

[20] To accomplish these goals, the ILO has established the Statistical Information and Monitoring Project on Child Labor (SIMPOC). SIMPOC is assisting many countries in collecting comprehensive and reliable data on child labor and establishing a database on institutions and organizations active in the field of child labor, child labor projects and programs, industry-level action, and national legislation and indicators.

TABLE II-1

Child Labor Data

Country	Total Population 1996[d] (millions)	Age Range	Number of Children in Age Range (millions)	Estimated Number of Child Workers in Age Range (thousands)	Percentage of Children Working in Age Range
Bangladesh[a]	122	5-14	34.5	6,584	19.1
Brazil[b]	161	5-14	33.9	4,349	12.8
Egypt[b]	59	6-14	10.9	1,309	12.0
Guatemala[b]	11	7-14	3.7	152	4.1
India[b]	945	5-14	210.0	11,285	5.4
Kenya[c]	27	10-14	3.8	1,558	41.3
Mexico[b]	93	12-14	6.6	1,137	17.3
Nepal[a]	22	5-14	6.2	2,596	41.7
Nicaragua[b]	5	10-14	0.6	60	9.9
Pakistan[a]	134	5-14	40.0	3,313	8.0
Peru[b]	24	6-14	4.8	196	4.1
Philippines[a]	72	5-14	17.5	1,863	10.6
South Africa[b]	38	10-14	4.6	200	4.3
Tanzania[c]	30	10-14	3.9	1,523	39.5
Thailand[c]	60	10-14	5.6	905	16.2
Turkey[a]	63	6-14	11.9	1,495	12.6

Sources: [a] ILO-Sponsored Child Labor Survey.
[b] National census or labor force survey.
[c] ILO's *Economically Active Population*.
[d] *World Development Indicators 1998* (Washington: World Bank, 1998) 12-14.
See Appendix B for a description of individual statistics and sources by country.

Notes: While total population estimates are for 1996, child labor data are from various years.

or are in the process of completing national child labor surveys and a number of others are in of doing so.[21]

---

[21] Countries where national child labor surveys have been completed or are nearing completion are Bangladesh (1995-96), Cambodia (1995-96), Costa Rica (by the end of 1998), Kenya (early 1999), Nepal (1995-96), Pakistan (1996), Philippines (1995), Senegal (1992-93), Sri Lanka (early 1999), Turkey (1994), West Bank and Gaza (early 1999). Regional surveys have been completed in Ghana, India, Indonesia, and Thailand. Surveys are planned or have already begun in Cambodia (second round), Colombia, Ethiopia, Georgia, Indonesia (second round), Madagascar, Mozambique, Namibia, Nicaragua, Nigeria, Pakistan (second round), South Africa, Trinidad and Tobago, Turkey (second round), Ukraine, Venezuela, Vietnam, and Zimbabwe. Electronic correspondence from Kebebew Ashagrie, Director, Bureau of Statistics, ILO, by U.S. Department of Labor official (December 14, 1998).

Table II-1 contains the best available official estimates of the size of the child labor population in the 16 countries studied for this report for the most current year available (usually 1991 to 1996). For five of these countries (**Bangladesh, Nepal, Pakistan,** the **Philippines,** and **Turkey**), data are from ILO-sponsored national surveys. These surveys are generally considered to provide the most comprehensive, high-quality data on the number of working children ages five to 14 years old.[22] Data for **Brazil, Egypt, Guatemala, India, Mexico, Nicaragua, Peru,** and **South Africa** are from recent government estimates taken from national census or labor force surveys covering various ages. Finally, in countries where no recent official estimates are available (**Kenya, Tanzania,** and **Thailand)**, statistics are from 1995 estimates for children 10 to 14 years old, as published in the ILO's *Economically Active Population.*[23] For a detailed description of the survey characteristics and coverage for statistics cited in Table II-1, *see* Appendix B.

When conducting national surveys, each country chooses its own definition of what constitutes a "child" and what it classifies as "labor." Therefore, government estimates may grossly over- or underrepresent the true number of child laborers simply due to the definitions used. Some countries, for example, include children working in either paid or unpaid work, while others count only full-time paid labor. Additionally, certain countries do not classify students as child laborers no matter how many hours they work outside the home, while others count students working even one hour a week as "employed." As a result, the number of working children reported by one country may be higher or lower than the number reported in another simply because of which children and which activities are included in the data.

Furthermore, factors such as child homelessness, lack of birth registration, informal sector employment, or a large refugee population can also increase the probability of significant underreporting. Considering the prevalence of these characteristics in many of the countries studied for this report, the statistics included in Table II-1 are likely to underestimate the true extent of child labor. It should also be noted that since children in the upper age bracket have a much higher probability of working, countries that only report data on older children (10 to 14 years old) will tend to have higher percentages of children in the workforce in the age range reported than those with estimates extending below 10 years old. *See* Appendix B for a detailed discussion on the limitations of child labor statistics and methodology, as well as a description of the specific estimates reported in Table II-1.

Many factors, including those discussed above, can lead to wide-ranging estimates of the numbers of child laborers within any one country. In general, official government estimates tend to underreport the extent of child labor, while data from other sources, such as NGOs and trade union groups, in some cases overstate the number of working children. The following are some examples of such discrepancies, all of which are also discussed in Appendix B.

---

[22] A notable exception is in Pakistan, where the number of children working is considered to be underestimated due to methodological weaknesses discussed in Appendix B.

[23] *See* Appendix B for a discussion on the limitations of the ILO's *Economically Active Population.*

BEST COPY AVAILABLE

- In **Guatemala,** despite a 1994 official estimate of 152,000 working children (seven to 14 years), other estimates are as high as 900,000 to two million (10 to 17 years).[24]

- Estimates of the number of working children in **India** vary widely. While the 1991 national census estimated that 11.28 million children were working,[25] some NGOs claim that any child between the ages of five and 14 who is not in school is most likely a child laborer. Unofficial child labor estimates are as high as 111 million, which is roughly equivalent to official estimates of the number of out-of-school children (five to 14).[26] The actual number of child workers is likely to be somewhere between the official estimate and the highest unofficial figures, with many NGOs and international organizations using 44 million to 55 million as a working figure.[27]

- While the ILO-sponsored survey in **Pakistan** reported 3.3 million economically active children, the Pakistani Federal Bureau of Statistics and the ILO have acknowledged that this figure is low.[28] Various sources have maintained that the number of working children in Pakistan is much higher. A 1990 UNICEF and Government of Pakistan publication estimated the number of child workers under 15 to be "not below eight million."[29] Another estimate, based on the number of children not enrolled in school in 1989-1990, puts the number of child laborers in Pakistan (five to 14 years old) at 19 million, including 12 million working children ages 10 to 14 and seven million five to nine years old.[30]

- In **Peru**, despite the 1993 official estimate of 196,000 working children reported in Table II-1, a 1995-96 survey on urban employment found 4.3 million urban child workers from six to 17 years old, including 600,000 in the six to 11 age group alone.[31]

---

[24] A 1993 ILO/UNICEF study of child labor in Central America estimated that in 1989 there were approximately 900,000 children from ten to 17 years of age employed in Gúatemala. In 1995, the Secretary of Social Welfare of the Confederation of United Unions of Guatemala estimated that 1.5 to two million children were working. *See* María Eugenia Villareal and Carlos Paralta Chapetón, *Trabajo infantil: concepción y realidad* (Guatemala City: Program of Support for Maternal and Child Health-PAMI, 1997) 48-49.

[25] *Yearbook of Labour Statistics 1997* (Geneva: ILO, 1997) 19 [hereinafter *Yearbook of Labour Statistics 1997*].

[26] Ingrid Mendonca, "Child Labour in India: Promises to Keep," *FRCH Newsletter* (Mumbai: Foundation for Research in Community Health, vol. VI, no. 5, September-October 1992) 2. *See also* S. Sinha, *Collection and Dissemination of Data on Child Labor in Asia* (Bangkok: ILO/IPEC, 1998) Table 1, 107 [Draft on file] [hereinafter *Collection and Dissemination of Data on Child Labor in Asia*].

[27] U.S. Embassy-New Delhi, unclassified telegram no. 01401, February 20, 1998.

[28] *Summary Results of Child Labor Survey in Pakistan* (Islamabad: Pakistan Federal Bureau of Statistics, Ministry of Labor, Manpower and Overseas Pakistanis, ILO/IPEC, October 9, 1996) 10-12 [hereinafter *Summary Results of Child Labour Survey in Pakistan*]. *See also* telephone interview with Kebebew Ashagrie, Director, ILO Bureau of Statistics, by U.S. Department of Labor official (September 8, 1998).

[29] *Discover the Working Child, It's a Beginning—the Situation of Child Labor in Pakistan* (Islamabad: UNICEF Pakistan and the National Commission for Child Welfare and Development, Government of Pakistan, 1990) 7.

[30] Moazam Mahmood, Muhammad Javaid Khan Tariq, and Ajmal Baig, *Why Children Do Not Go to School in Pakistan—Some Estimates and a Theoretical Framework* (Islamabad: Pakistan Institute of Development Economics, 1994) 8-9.

[31] *Estudio de niños y adolescentes trabajadores a nivel nacional 1998* (Lima: Ministerio de Trabajo y Promoción Social, 1998) A.

- While the most recent available labor force survey in **Egypt** found only 361,300 working children ages six to 14,[32] the Egyptian Minister of Manpower estimated two million working children (age range unknown) at a 1995 Cairo seminar on child labor. Other estimates have placed the number of child laborers as high as three million.[33]

D. Children in Hazardous Work

This section provides a survey of the types of work performed by children and the hazards they face. It focuses on abusive child labor situations where children work under dangerous conditions and are often denied an education. Examples drawn from the 16 countries visited by U.S. Department of Labor officials illustrate working conditions in agriculture, fishing, manufacturing, mining and quarrying, and various service sectors.[34] An extensive listing of industries and occupations that employ children in the 16 countries studied is provided in Appendix C.

While children work in many sectors, according to data assembled by the ILO from 26 developing countries, the majority of economically active children (70 percent) work in agriculture, fishing, forestry, and hunting. The remainder work in manufacturing (eight percent); wholesale and retail trade, restaurants, and hotels (eight percent); community, social, and personal services (seven percent); transport, storage and communications (four percent); construction (two percent); and mining and quarrying (one percent).[35] The following sections describe working conditions in the sectors where children are most frequently employed.

1. Agriculture

More of the world's working children are employed in agriculture than in any other sector. Common systems of pay tend to encourage the use of child labor. Arrangements for paying workers based on tasks completed or the amount of product harvested provide an incentive for parents to supplement their own labor with that of their children to augment the family income. In some cases, parents take their young children to work in the fields because they lack a safe place to leave them.

Children often begin work in the agricultural sector at a very young age and perform a variety of tasks related to the planting and harvesting of crops. They work, often along with their parents, in subsistence (purely family-based), smallholder, and commercial farming.[36] As described below, the dangers faced by children working in agriculture are manifold. Their work frequently interferes with their education, and despite long hours of work, children generally receive little or no compensation.

---

[32] *Yearbook of Labour Statistics 1997* at 9.

[33] U.S. Embassy-Cairo, unclassified telegram no. 05996, June 6, 1996.

[34] Earlier volumes of the U.S. Department of Labor's international child labor series provide more detailed country and industry-specific information on where children work.

[35] "Child Labour in the World" fact sheet.

[36] Small farms that are purely family based are exempted from international standards on child labor. However, small holders employing wage laborers are prohibited by these international standards from using child labor.

In some countries, children make up a significant percentage of the agricultural workforce. A survey of 12 states in **Mexico** indicated that children from seven to 14 years make up 30 percent of day laborers in the agricultural sector.[37]
A similar reliance on child labor is found in **Kenyan** agriculture. During peak seasons, Kenyan children account for close to half of the workforce planting, weeding, and harvesting on sugar estates,[38] and between 50 and 60 percent of the workforce on coffee plantations.[39] In **Egypt**, tens of thousands of children harvest cotton, the country's second largest export product.[40]

Some children, while not directly engaged in planting or harvesting, instead perform smaller tasks on farms and plantations. In **Guatemala**, for example, since the work of cutting sugar cane requires strength, younger children are employed in less physically demanding, complementary activities such as helping to trim the cane after it has been cut and collecting loose stalks that have fallen off loaders and trucks.[41]

For the many children employed in agriculture, exposure to health and safety risks is a regular part of their daily work life. They face numerous hazards such as sharp and unwieldy tools, bites from snakes and insects, transportation in unsafe vehicles, and regular exposure to toxic substances such as chemical fertilizers and pesticides. They often work without protective clothing, are exposed to extreme temperatures, and carry heavy loads.[42] As the following examples illustrate, such hazards vary, depending on the crops farmed and the equipment used.

- In sisal cultivation in **Brazil**, children frequently suffer eye, hand, and arm injuries from cutting the pointy-ended plant and processing or shredding the plant with sharp tools.[43] The harvesting of oranges also presents its own unique dangers. According to Brazilian welfare groups and unions, close to 150,000 children are employed during the country's six-month orange harvesting season. They pick oranges in severe heat for as long as 12 hours a day. The children's hands are dyed green and their fingertips are sometimes eroded by citric acid from the oranges and toxic pesticides sprayed even while children are in the orange groves. In some cases, damage to their fingertips is so severe that children are later refused identification cards due to a lack of fingerprints.[44]

---

[37] Lourdes Sánchez Muñohierro, "La familia jornalera: Seno del niño en situación especialmente dificil," *El trabajo infantil en Mexico* (Veracruz: University of Veracruz, ILO, UNICEF, 1996) 28 [hereinafter "La familia jornalera"]. These surveys were conducted during the high season and are based on interviews with workers.

[38] Federation of Kenya Employers, "Child Labor in Commercial Agriculture in Kenya," Working Paper No. 1, ILO/IPEC Subregional technical workshop on child labor in commercial agriculture, Dar es Salaam, Tanzania (August 27-30, 1996) 4-6 [hereinafter "Child Labor in Commercial Agriculture in Kenya"].

[39] *Ibid.* at 22-23.

[40] Anthony Shadid, "Year After Tragic Deaths, Egypt's Young Return to Cotton Fields," *Associated Press*, September 24, 1998 [hereinafter "Egypt's Young Return to Cotton Fields"].

[41] U.S. Embassy-Guatemala City, unclassified telegram no. 03370, April 26, 1995.

[42] *Children at Work* at 12.

[43] Interview with Noe Silvestre Carneiro, President, Union of Rural Workers of Retirolandia, by U.S. Department of Labor officials (May 22, 1998).

- In **Mexico**, where children cultivate and harvest a variety of fruits and vegetables, they often handle toxic pesticides and other agrochemicals without adequate protective equipment or training. In some cases, fumigation is carried out while the workers are still in the fields.[45] Extreme heat and heavy workloads frequently cause dehydration, sunstroke, and injuries among workers.[46] The exhausting physical labor, combined with poor nutrition and living conditions, drains children's energies, making it difficult for them to participate in school or recreational activities.[47]

- On rice plantations in **Kenya**, children make up as much as 90 percent of the workforce during periods of rice transplanting, an activity involving long hours of walking backward and bending to pick and replant rice.[48] Working in rice fields, children are bitten by snakes and exposed to diseases such as malaria, influenza, and pneumonia.[49]

Most children work in agriculture on a seasonal basis—full-time during the harvesting and seeding seasons and on an irregular or part-time basis during the remainder of the year. Seasonal agricultural work often conflicts with children's school attendance during the regular academic year. Children frequently miss classes, and some are even forced to give up years of their education.

- In **Guatemala**, for example, coffee harvests do not uniformly coincide with the end of the school year. A large number of children withdraw from school and migrate with their families to assist in the harvests. Once on a coffee farm, it becomes impractical for parents to enroll their children in nearby schools for the two to three-month harvest season. Lack of classroom space also limits options open to migrant families. Rather than have their children sit idle, parents often choose to have their children join in the harvest and contribute to family income.[50]

---

[44] Phil Davison, Katherine Butler, and Steve Boggan, "Children as Young as Five Suffer in Picking Fruit for Our Orange Juice," *The Independent Newspaper*, September 28, 1998.

[45] "La familia jornalera" at 31.

[46] *Presentación general* (Mexico City: Secretaría de Desarrollo Social, Subsecretaría de Desarrollo Regional, Programa Nacional con Jornaleros Agrícolas, 1998) 6 [hereinafter *Presentación general*]. According to one study, children commonly carry 40 to 45 pound loads of harvested vegetables on their shoulders to deposit them in a central container. *See* M.T. Guerra Ochoa, *Los trabajadores de la horticultura Sinaloense* (Sinaloa: Universidad de Sinaloa, 1998) 111.

[47] "La familia jornalera" at 32.

[48] "Child Labor in Commercial Agriculture in Kenya" at 15-16.

[49] *Ibid.* at 16.

[50] Interview with William Stixrud, President, Guatemalan National Coffee Association, by U.S. Department of Labor official (June 8, 1998) [hereinafter Interview with William Stixrud].

- In **Mexico**, educational opportunities for children of migrant farmworkers are inadequate, and the typical school year is not adapted to address their families' constant movement. The Mexican government's National Migrant Farmworkers' Program (PRONJAG) estimates that one in every five migrant children of school-going age (six to 14) has never attended school and that two out of three children over the age of 12 have at some time abandoned primary studies in order to work in the fields.[51]

- In **Peru**, children frequently miss classes during the school year to harvest crops such as coffee,[52] cotton, rice, fruit, and asparagus.[53]

Despite the dangers of agricultural work and the sacrifices children make in terms of their education, child agricultural workers often receive little pay for their long hours of labor.

- Working from morning to dusk in **Egypt's** cotton fields, children earn between US$ 0.03 and US$ 0.09 for every two pounds of cotton picked—most earn US $1.00 a day or less.[54]

- Harvesting sugar cane in **Brazil**, children begin work at 5:00 a.m. and continue for eight hours under the burning sun for five *reais* (US$ 4.50) a day.[55]

- In **Guatemala**, children pick and sort beans and carry heavy sacks of coffee for eight to 12 hours per day. The father and male children harvest the beans. For their long hours of work, the family unit earns about US$ 4 to US$ 5 per day.[56]

- In the tea estates of **Nepal**, child workers generally earn 10 to 25 *rupees* (US$ 0.16 to US$ 0.40) per day, while adults make roughly twice that amount.[57]

---

[51] *Presentación general* at 8-9.

[52] Walter Alarcón Glasinovich, Mauricio García Moreno, Irene Rizzini, María Cristina Salazar, Catalina Turbay, and Carlos Antonio Rodríguez, *Mejores escuelas: menos trabajo infantil - trabajo infanto-juvenil y educación en Brasil, Colombia, Guatemala, Ecuador y Peru* (Florence: International Child Development Centre; Bogotá: UNICEF Regional Office for Latin America and the Caribbean, 1996) 286 [hereinafter *Mejores escuelas*].

[53] Interview with Hildebrando Cabellos Valiente, Sindicato Unico de Trabajadores de Petroleo del Peru, and José Pingo, Federación de Trabajadores de Petroleo del Peru (FETRAPEP), by U.S. Department of Labor official (May 6, 1998).

[54] "Egypt's Young Return to Cotton Fields." In 1997, 23 Egyptian children—some as young as 12—being transported by a government-owned truck to work in local cotton fields were killed when the vehicle skidded off the road into a Nile River canal. Since then, the Government of Egypt has banned the transport of children in such trucks. Steps have not been taken, however, to ensure that children are in school rather than employed in the country's cotton fields.

[55] "Canavias de Pernambuco Tiram as Crianças da Escola Durante Colheita," *LIDA* (Brasília: Ministry of Labor, vol. 1, no. 1, September/October 1997) 32.

[56] Interview with William Stixrud.

[57] *Major Finding of the Study on Child Labour in Tea Estates of Nepal* (Kathmandu: General Federation of Nepalese Trade Unions—GEFONT, 1995) 3, 8 [informational pamphlet on file].

- Working alongside their parents on **Nicaraguan** banana and coffee plantations, children age 10 and older earn less than US$ 1 per day.[58]

Finally, there are reports of bonded child labor in agriculture, particularly in small-scale agricultural operations in rural **India**, **Pakistan**, and **Nepal**. Bonded labor in the farm sector occurs when poor, landless peasants and tenant farmers have no choice but to turn to landlords for loans in the form of cash or food, to be repaid with labor. Instead of decreasing with the time worked, however, the loans often increase, and bondage becomes a way of life for generations.[59]

2. Fishing

Significant numbers of children work in the fishing industry. Children dive for fish, work on fishing platforms and boats, collect shellfish and shrimp larvae, peel shrimp, and clean fish. In performing these tasks, they often spend long hours in the water and face hazards such as drowning, skin diseases, and attack by sharks or other dangerous fish. They also risk injury from the sharp tools used for cutting and cleaning fish and seafood.

According to the 1995 **Philippines** National Survey of Working Children, almost seven percent of Filipino working children from five to 15 years old are engaged in fishing.[60] It used to be common practice to employ children in deep-sea fishing operations, where they worked without protective gear in water for up to 12 hours a day. Boys as young as age 10 dived to depths of 100 feet to maneuver nets around coral reefs, risking drowning, ruptured eardrums, decompression sickness, and attack by predatory fish.[61] A concerted effort by Filipino NGOs, the ILO, and UNICEF and stepped up enforcement by the Government of the Philippines resulted in a reduction in the employment of underage children in deep-sea fishing.[62] It is unclear, however, whether the practice has been completely eradicated.[63]

In countries such as **Bangladesh, Peru,** and **Thailand**, children perform labor-intensive tasks related to farming and processing shrimp and other shellfish.

- In **Bangladesh**, children as young as six years old work alongside their parents in tidal streams and rivers collecting shrimp fry—shrimp larvae that are

---

[58] *Country Reports on Human Rights Practices for 1997* (Washington, D.C.: U.S. Department of State, 1998) 601.

[59] *By the Sweat and Toil of Children (Volume II): The Use of Child Labor in U.S. Agricultural Imports & Forced and Bonded Child Labor* (Washington, D.C.: U.S. Department of Labor, 1995) 125-132 [hereinafter *By the Sweat and Toil of Children II*].

[60] The 1995 National Survey of Working Children was conducted by the National Statistics Office of the Philippines in collaboration with the ILO's Bureau of Statistics. *See Collection and Dissemination of Data on Child Labour in Asia*, Table 11, 147.

[61] *Targeting the Intolerable* at 13, 14.

[62] *Invisible Children: Child Work in Asia and the Pacific* (Bangkok: Save the Children and Child Workers in Asia, October 1997) 51 [hereinafter *Invisible Children*]. *See also By the Sweat and Toil of Children II* at 60.

[63] *Invisible Children* at 51.

BEST COPY AVAILABLE

sold to shrimp farms for growth and harvest.[64] Fry collection occurs in the mornings from 5:00 a.m. to 11:00 a.m. and in the evenings from 4:00 p.m. to 7:00 p.m., as tides permit.[65] Children are also reported to perform tasks such as peeling and cleaning shrimp.[66]

- In northern **Peru**, children spend long workdays submerged in the sea, extracting shrimp larvae for cultivation and eventual export.[67]

- Children in **Thailand** clean and shell seafood, at constant risk of injury from sharp knives and tools. Cuts and scrapes, sometimes leading to infection, are common. Most workers also suffer from skin diseases as a result of long hours exposed to salt from the water and fish. Despite the troubles associated with exposed hands, most workers do not wear gloves, since this would slow down their work.[68]

3. Manufacturing

Where child labor occurs in the manufacturing sector, most often it is in small workshops or home-based work. Employment of children in medium-sized or large enterprises is rare, but such establishments sometimes contribute indirectly to child labor by subcontracting out certain production tasks to small workshops or home-workers who make extensive use of child labor.[69]

Children who are employed in manufacturing work long hours, often without proper safety gear. They face numerous hazards, including exposure to excessive heat, insufficient lighting, poor ventilation, loud noise, and toxic substances. While the number of children working in manufacturing generally represents only a small portion of the overall population of working children in a given country, they sometimes make up a significant percentage of the workforce in a particular industry. In such cases, children are generally used intensively for specific tasks in the chain of production for which they are perceived to be especially well suited.

Manufacturing involving child labor frequently involves subcontracting arrangements whereby children work out of small shops or private homes. Such arrangements enable producers to skirt child labor laws in countries where such worksites are exempt from existing legislation.

---

[64] Mohaddad G. Murtaza and Md. Hamid Uddin, *Effects of Shrimp Fry Collection on the Primary Education, A Case Study of Batiaghata Thana, Khulma District* (Dhaka: Programme for Research on Poverty Alleviation, Grameen Trust, 1995) 2, 32 [hereinafter *Shrimp Fry Collection*]. *See also* interview with Abdul Hamid Chowdhury, Chairman, C.A. Hamid Group, and Major (Ret.) Manzoor, Managing Director, Aqua Resources Limited (representing the Bangladesh Frozen Food Exporters Association), by U.S. Department of Labor official (May 13, 1998).

[65] *Shrimp Fry Collection* at 13.

[66] Interview with M. Amin Ullah, Managing Director, Meenhar Sea Foods Ltd., and Md. Anowarul Hoque, by U.S. Department of Labor official (May 16, 1998).

[67] Interview with Isabel Yanez, National Commission on Child Labor, by U.S. Department of Labor official (May 15, 1998).

[68] Kerry Richter and Orathai Ard-am, *Child Labor in Thailand's Fishing Industry* (Salaya: Institute for Population and Social Research, Mahidol University, 1995) 18-19.

[69] "Child Labor in the World" fact sheet.

- Since the enactment of **India's** 1986 Child Labor Prohibition and Regulation Act, large sporting goods factories generally employ only adult workers. Children are still found, however, stitching and assembling soccer balls, volleyballs, and boxing and cricket gloves in their homes or small stitching centers, where their work will not violate Indian child labor law.[70] Similarly, in India's gemstone industry, children commonly work out of private homes in smaller villages.[71] In small shops on the back streets of Jaipur, children sort, sift, and clean semiprecious stones. Older children and young teenagers grind, polish, and set stones. Most work in these shops appears to be done by children and teenagers ages 12 to 18, and many of them operate either manual or powered grinding stones.[72]

- In the sporting goods industry of **Pakistan**, children stitch soccer balls in their homes.[73] In the surgical instrument industry, manufacturers who have expelled most child laborers from their factories still rely on children working off-site in small polishing and filing workshops.[74] Children as young as eight work crouched in cramped workshops, without protective clothing, grinding scissors and polishing, cutting, and filing other surgical instruments.[75]

- In **Mexico's** manufacturing sector, children most commonly work in small, family-run or artisan workshops, where constitutional and federal labor laws are not applied.[76] There are also reports of children performing home-based and subcontracting work for the country's apparel industry,[77] and of extensive use of child labor in the household production of leather footwear.[78]

---

[70] *A Sporting Chance—Tackling Child Labour in India's Sports Goods Industry* (London: Christian Aid, 1997) 4.

[71] Interview with Amar Nath, Director, Inter Gold (India) Limited, by U.S. Department of Labor official (May 12, 1998).

[72] U.S. Department of Labor site visit to Jaipur (May 15, 1998). In one shop visited by a U.S. Department of Labor official, all of the workers sitting at a back table appeared to be 10 years old or younger. A 1998 study, funded by India's Gem and Jewelry Export Promotion Council (GJEPC), found a significant decrease in the incidence of child labor in India's diamond processing sector. *See* "Final Report—Follow-up Study on Prevalence of Child Labour in Diamond Cutting and Polishing Industry in India" (Mumbai: A.F. Ferguson & Co., June 1998).

[73] An ILO/IPEC program, funded partially by the U.S. Department of Labor, is working to phase children out of Pakistan's soccer ball industry and provide educational opportunities to former child workers. This project is explained in further detail in Chapter V.

[74] U.S. Embassy-Islamabad, unclassified telegram no. 01331, February 20, 1998.

[75] "Child Labor in Surgical Goods Industry," *SPARC* (Islamabad: Society for the Protection of the Rights of the Child, no. 16, September 1998) 8-9. Workers suffer frequent injuries, including burns from hot metal and respiratory illnesses from inhaling poisonous metal dusts.

[76] Interview with Claudia Franco Hijuelos, General Coordinator of International Affairs; Luis Farías, Special Advisor; Joaquín Blanes Casas, Director General of Federal Labor Inspectorate; and Alberto Piedra, Director of Information and Analysis, Secretariat of Labor and Social Welfare, by U.S. Department of Labor official (April 20, 1998). *See also Mexico* (Cartagena: Sistema Regional de Información sobre Trabajo Infantil - ILO/IPEC, 1997) 14-15 [hereinafter *Mexico*].

[77] *Mexico* at 14-15. *See also* Interview with Jorge Valencia, Mexican Collective for the Support of Children, by U.S. Department of Labor official (April 21, 1998).

[78] *By the Sweat and Toil of Children (Volume IV): Consumer Labels and Child Labor* (Washington, D.C.: U.S. Department of Labor, 1997) 72 [hereinafter *By the Sweat and Toil of Children IV*].

Hazards associated with child labor in manufacturing result from poor work environments that contribute to illness and inadequate safety measures to protect children from work place accidents.

- In the production of firecrackers in **Guatemala**, children as young as seven, mostly boys, insert fuses into firecrackers and perform other related tasks. The work is highly dangerous, as evidenced by the number of accidental explosions. Children risk burns, amputations, and even death. On-the-job exposure to gunpowder leads to respiratory illness and eye irritations that cause itching, tearing, and burning. Many children are malnourished, and their long hours of work make it virtually impossible for them to attend school.[79] Similar conditions have been reported in the fireworks industries of **India**,[80] **Peru**,[81] **Mexico**,[82] and the **Philippines**.[83]

- It is estimated that 50,000 children work under hazardous conditions in the glass industry of Firozabad, **India**.[84] These children regularly work in front of furnaces where temperatures reach 1500 to 1600 degrees Celsius.[85] Children carry molten glass on long rods to different stages of glass production. They help adult workers pour molten glass into molds and take the glass to other workers, who cut the molds away. Common injuries include burns from molten glass and eye damage caused by flying specks of broken glass. Workers also suffer vision damage caused by straining to look continuously into the blinding light of furnaces.[86] Even the air presents a constant hazard. Workers regularly inhale dust from coal and silica, and fumes from the various chemicals used in the production of glass. Poor air quality results in a high incidence of respiratory illnesses such as tuberculosis, bronchitis, and asthma.[87]

- In the leather tanning industries of several countries, including **Bangladesh**, **India**, **Egypt**, and **Pakistan**, children endure appalling conditions, including exposure to corrosive chemicals and bacterial contamination from hides.[88] Children constitute about 25 percent of the labor force in the leather tanneries of old Cairo in **Egypt**.[89] In the leather tanneries of old Dhaka in **Bangladesh**, virtually all of the more than 300 tanneries in operation employ boys.[90]

---

[79] *Analysis of Boys and Girls Employed in Fireworks Industry of San Juan Sacatepéquez and San Raymundo* (Guatemala City: Ministry of Labor and Social Welfare/ILO, 1996) 39-56. *See also Menores trabajadores en labores de alto riesgo* (Guatemala City: USAID, June 1997) 35, 128.

[80] *By the Sweat and Toil of Children (Volume I): The Use of Child Labor in U.S. Manufactured and Mined Imports* (Washington, D.C.: U.S. Department of Labor, 1994) 85-86. *See also By the Sweat and Toil of Children II* at 102-104.

[81] *El trabajo infantil en América Latina: propuestas para la acción*, VII Conferencia de Esposas de Jefes de Estado y de Gobierno de las Américas (Panama: ILO/IPEC, October 1997) 32.

[82] Molly Moore, "Accident Reveals Explosive Secret," *The Washington Post*, October 15, 1998.

[83] *Comprehensive Study on Child Labor in the Philippines* (Manila: Institute for Labor Studies, 1994) 49 [hereinafter *Child Labor in the Philippines*]. *See also Assessing the Occupational Safety and Health Conditions of Child Labor in the Pyrotechnics Industry* (Manila: Occupational Safety and Health Center, Department of Labor and Employment, 1996).

[84] "Initiatives on Child Labour" *Human Rights Newsletter* (New Delhi: National Human Rights Commission, vol. 1, no. 3, December 1994) 1-2.

[85] *Environment Management in (the) Glass Industry* (New Delhi: Indian Environmental Society, 1992) 48 [hereinafter *Environment Management in (the) Glass Industry*].

[86] *Ibid.* at 97-98.

[87] *Ibid.* at 99.

In the leather footwear industry, children work with sharp knives and cutting tools and are exposed to toxic fumes, solvents, and other dangerous chemicals which can cause skin and respiratory diseases.

- In the footwear industry of Agra, **India**, while children are reportedly not employed by companies producing shoes directly for the export market, they do work in smaller workshops and homes.[91] Children employed in these smaller units work up to 12 hours per day and are exposed to glue fumes and other chemicals used in production.[92]

- In **Turkey**, children working in the leather footwear industry are exposed to harmful solvents such as hexane. Following the administration of medical and neurological exams to 250 children working in Istanbul's leather footwear industry in 1996, 19 children were hospitalized and treated for the deleterious effects of exposure to hexane.[93] A majority of these children were 12 years old and worked an average of 10 to 12 hours per day.[94]

- In **Brazil**, children working in small workshops and homes producing leather footwear parts are exposed to glue and other solvents that have been demonstrated to cause respiratory ailments, nausea, lethargy, and sometimes irreversible damage to the immune system, nervous system, and the liver. Dangerous working instruments contribute to cuts, bruises, and punctures. Injuries sometimes result in amputations.[95]

---

[88] "Children in Hazardous Work," fact sheet from *Abolishing Extreme Forms of Child Labour* (Geneva: ILO, 1998) [hereinafter "Children in Hazardous Work" fact sheet]. *See also By the Sweat and Toil of Children IV* at 70-73.

[89] Ahmed Abdalla, Sa'id Al-Masri, Berlanti Abdalla, Hani Wassef, *Child Labor in Egypt: An Overview and an Exploratory Study of the Child Triangle of Masr Al-Qadeema (Old Cairo)* (Cairo: Al-Jeel Center for Youth and Social Studies, 1996) 113.

[90] *Daily Lives of Working Children: Case Studies from Bangladesh* (Dhaka: UNICEF, 1997) 55. Tasks performed by young boys include running errands, packing, arranging, drying, and coloring leather, and operating tanning drums. *Ibid.* at 57.

[91] Interview with Abhinay Prasad, Secretary, AADHAR (Welfare Society), and R.K. Pandey, Regional Director, Council for Leather Exports, by U.S. Department of Labor official (May 17, 1998). It is unclear, however, whether shoes and shoe parts produced under subcontracting arrangements in the cottage industry are destined for the domestic or export market.

[92] *Ibid.*

[93] *Untitled ILO/IPEC Draft Paper* (Ankara: ILO/IPEC, April 1998) 2 [on file]. *See also* Interview with officials and inspectors of the Child Labor Unit in Istanbul, by U.S. Department of Labor official (May 1, 1998). These medical exams were part of an IPEC-sponsored program, carried out by the Child Labor Unit in Istanbul, to examine the effects of chemicals on children in the leather and footwear industries.

[94] *Ibid.*

[95] *By the Sweat and Toil of Children IV* at 67-68.

In certain cases, children perform specific tasks within an industry. These tend to be the most menial and labor-intensive tasks that are sometimes viewed as well-suited for child labor.

- In brick-kiln operations outside of Lima, **Peruvian** children work making bricks along with their families. Most are recent migrants from the provinces. Children as young as three and four years old toil turning over row after row of bricks that are laid in the sun to ensure even drying.[96] Children also work in brick-kiln operations in **India**,[97] **Pakistan**,[98] **Nepal**,[99] and **Mexico**.[100]

- In the glass industry of **India**, children eight years old and younger weld the ends of glass bangle bracelets in small workshops or private homes. The rooms where they work are dark and have no ventilation because the kerosene flame used to heat the glass would flicker in a breeze. According to some estimates, roughly 50 to 60 percent of this work is done by children and women.[101]

The use of child labor in the labor-intensive hand-knotted carpet industries of **India**, **Pakistan**, and **Nepal** has been widely documented. Children employed in this industry often work in confined, dimly-lit workshops. Many develop respiratory illnesses and suffer spinal deformities and retarded growth from long hours of work crouched in dust-filled rooms. Cuts and wounds from sharp tools are common. Some children in the industry work as bonded laborers, working to pay off money borrowed by their parents.[102]

4. Mining and Quarrying

Child labor is used in small-scale mining and stone-quarrying operations in many countries in Africa, Asia, and Latin America. The number of children working in mining and quarrying is relatively small, but the incidence of injuries and illness is high. According to the ILO, more than one in every five girls and one in every six boys employed in mines and quarries are affected by serious injuries and illnesses.[103]

In small-scale mining, there are no limits to the hours a child may work. Children work without adequate protective equipment, clothing, or training. They handle dangerous tools and carry heavy loads. Working conditions include extremes of heat and cold and exposure to high levels of humidity and hazardous dusts and materials, including mercury. The examples below illustrate some of the hazards child miners face and the negative impact of mine work on child development.

---

[96] Interview with Fernando Velasco Cordova, Technical Advisor to the High Directorate, and Ivone Vicuña, Ministry of Labor and Social Welfare, by U.S. Department of Labor official (May 4, 1998).

[97] Interview with R.K. Rai, Executive Secretary, U.P. Voluntary Health Association, by U.S. Department of Labor official (May 8, 1998). *See also By the Sweat and Toil of Children II* at 104-108.

[98] *By the Sweat and Toil of Children II* at 1, 104-108.

[99] "Major Steps towards the Elimination of Child Labor in Nepal" (Kathmandu: ILO/IPEC, January 1998).

[100] *Mexico* at 15.

[101] *Environment Management in (the) Glass Industry* at 98.

[102] *See By the Sweat and Toil of Children II* at 85-94 and *By the Sweat and Toil of Children IV* at 19-22.

[103] "Children in Mining and Quarries," fact sheet from *Abolishing Extreme Forms of Child Labour* (Geneva: ILO, 1998) [hereinafter "Children in Mining and Quarries" fact sheet].

- In **Guatemala**, children work in the mining and refining of lime, a mineral compound used in the construction industry and the fermenting of local alcoholic beverages. According to a 1996 survey, children lift and crush heavy rocks. They are in constant danger of landslides and suffer from bone fractures, burns, and respiratory ailments.[104] Children are also employed in stone quarries along the Samalá River in Retalhuleu, Guatemala. There, children, some as young as five years, chip and haul stones. Many are forced to work in order to pay off debts incurred by their parents. The work is both strenuous and dangerous. Children risk contracting various lung and skin diseases, loss of eyesight, and physical deformities or loss of a limb. Children frequently do not attend school and child illiteracy is common.[105]

- Children also quarry and cut stones in the **Philippines**.[106] They have been observed blasting rocks, breaking up stones with pick axes, and carrying and loading stones into trucks, all without protective clothing.[107]

- In the Mererani tanzanite mines of **Tanzania**, young boys—called "snake-boys"—compromise their physical and mental health by engaging in exhausting work in deep and weakly constructed pits. Respiratory problems due to dust and harmful gases are exacerbated by poor ventilation. Child miners endure loud noise and excessive heat. The boys place themselves at further risk by remaining in mine shafts far below ground while explosives are detonated in hope of being the first to recover newly exposed gems.[108] In Tanzanian stone quarries, children work in bare feet, wielding crude hammers to break rocks.[109] An unknown number of children also work in hazardous small-scale gold mining operations in several parts of the country.[110]

---

[104] María Eugenia Villareal and Carlos Peralta Chapetón, *Menores trabajadores en labores de alto riesgo* (Guatemala City: Program of Support for Maternal and Child Health and Health of Other High Risk Groups - PAMI, 1997) 19-24.

[105] *Combating Child Labor in Stone Quarries of Guatemala*, sub-programme 3 (Guatemala City: ILO/IPEC, 1998) 2 [on file].

[106] *Child Labor in the Philippines* at 49.

[107] Ronald D. Subida and Ray U. Angluben, *Defining Hazardous Undertakings for Young Workers Below 18 Years of Age, A Country Report* (Manila: ILO/IPEC, 1997) 14.

[108] "Children in Mining and Quarries" fact sheet. There has reportedly been a reduction in the number of children working in the tanzanite mines following an intensive campaign by NGOs, unions, and the government. Electronic correspondences from William Mallya, National Program Coordinator, ILO/IPEC Tanzania, to U.S. Department of Labor official (November 15 and December 16, 1998) [on file].

[109] "Children in Mining and Quarries" fact sheet.

[110] Electronic correspondence from William Mallya, National Program Coordinator, ILO/IPEC Tanzania, to U.S. Department of Labor official (November 15, 1998)

BEST COPY AVAILABLE

- In the stone quarries of Tamil Nadu, **Indian** children break stones into small pieces and carry tools and explosives.[111] Accidents are frequent, as are reports of workers losing limbs and being killed.[112] Outside New Delhi, in the stone quarries of Faridabad, thousands of migrants work, some bonded, and many assisted by their children. Working seven days a week under hazardous conditions, most children are unable to go to school.[113]

- In communities in south-central **Peru,** children help their families in informal gold mining operations.[114] Most work as nonremunerated family workers, helping their parents with mining and household chores. They perform hard physical labor for many hours a day and walk long distances carrying heavy loads. Children who work in the mine shafts risk cave-ins and injuries from working with picks and other tools in the narrow shafts.[115] Children who help process the gold using a *quimbalete*[116] often come into direct contact with mercury.[117] Studies done by NGOs at several of these mines found high levels of mercury in the children's systems. Psychological examinations found that 60 percent of children and 78 percent of adolescents tested below normal levels for intellectual performance.[118]

5. Services

Children in the service sector work in a variety of occupations and situations. A large number of children, especially girls, work as domestic servants. Both boys and girls of increasingly young ages are recruited or trafficked into the commercial sex industry. In urban areas, children work as street vendors, car washers, and porters. Children are also employed in markets, bakeries, restaurants, cafes, and train and bus stations. The conditions of work of child domestic servants, commercial sex workers, and other child laborers in service occupations in the 16 countries studied for this report are described below.

a. Domestic Workers

Domestic service remains one of the most common forms of child labor. In many countries, the use of children as domestic servants is regarded as a socially acceptable traditional practice.[119] Child domestic servants typically perform household services and chores for their employers in exchange for pay and/or room and board. They run errands, shop, provide child care, fetch water and firewood, clean, do laundry, cook, and perform other household chores. Child domestic servants are frequently expected to work at all hours of the day, with few days off.[120]

---

[111] Interview with S.P. Gnanamoni, Secretary, Quarry Workers Development Society, Dindigal, by U.S. Department of Labor official (May 7, 1998).

[112] *Ibid.*; *see also* interview with Isabel Austin, State Representative for UNICEF for Tamil Nadu and Kerala, by U.S. Department of Labor official (May 5, 1998) [hereinafter Interview with Isabel Austin].

[113] "Children in Mining and Quarries" fact sheet.

[114] "Especial—seguimiento a la convención de los derechos de la niña y el niño," *Niñez y Adolescencia* (Lima: Grupo de Iniciativa Nacional por los Derechos del Niño—GIN, no. 2, August-October, 1997) 14 [hereinafter "Especial—derechos de la niña y el niño"].

[115] *Ibid.* at 13-16.

[116] Children balance atop the *quimbalete* (a large stone with a log lashed on top of it) which sits in the middle of a large stone bowl. The mineral and mercury are placed in the bowl and the child grinds the mineral by planting his/her feet wide on the log and rocking the *quimbalete* back and forth over the mineral.

[117] "Especial - derechos de la niña y el niño" at 15-16.

[118] *Program for the Progressive Eradication of Child Labor in the Informal Mining Community of Mollehuaca*, Summary Outline para Acción del Programa IPEC (Lima: ILO/ IPEC, May 1998) 5.

In many developing countries, it is common for poor families to send their young children, particularly girls, to work as domestic servants in the households of more well-to-do families or relatives. Sometimes parents send their children away to gain extra income or with the hope that they will receive better lodging, nourishment, and an education. In some cases, children work as domestics to repay debts incurred by their parents. Often, child domestics receive harsh treatment at the hands of their employers.

The informal and hidden nature of domestic work makes it difficult to accurately estimate the number of child domestic workers around the world. However, the ILO believes that child domestic service is a widespread practice in many developing countries.[121] This is the case in all of the countries studied for this report. In some countries, the number of children working as domestic servants is large.

- In the **Philippines**, over 300,000 children and adolescents are believed to work as domestic servants.[122]

- In 1995, almost 260,000 **Brazilian** children between the ages of 10 and 14 (or close to eight percent of child workers in that age group) were employed in domestic service.[123]

The majority of domestic workers tend to be between 12 and 17 years old, but in some instances, much younger children are reported to work in this sector.

- In **Bangladesh**, a survey of child domestic workers found that 24 percent were between five and 10 years old.[124]

- There are similar allegations of young girls working as domestic servants in **Nepal**, where some domestic workers are as young as seven,[125] and in

---

[119] *Child Domestic Workers: A Handbook for Research and Action* (London: Anti-Slavery International/IPEC, September 1997) 2.

[120] *Child Labor: Exploited and Abused Youth at Work* (Washington, D.C.: Youth Advocate Program International, 1998) 13-14.

[121] *Targeting the Intolerable* at 14.

[122] U.S. Embassy-Manila, unclassified telegram no. 02110, February 20, 1998.

[123] *Indicadores sobre crianças e adolescentes: Brasil, 1991-1996* (Rio de Janeiro: IBGE/UNICEF, 1997) 142 [hereinafter *Indicadores sobre crianças e adolescentes*].

[124] "Children in Domestic Work" fact sheet from *Abolishing Extreme Forms of Child Labour* (Geneva: ILO, 1998) [hereinafter "Children in Domestic Work" fact sheet].

[125] "Domestic Child Workers in the Kathmandu Valley," *in Child Workers in Asia* (Bangkok: Child Workers in Asia, vol. 10, no. 1, January-March, 1994) 8-9 [hereinafter "Domestic Child Workers in the Kathmandu Valley"].

Kenya, where over 10 percent of child domestic workers are estimated to be 10 years old.[126]

Children who work as domestic servants often suffer physical, mental, and sexual abuse. Many work for little or no pay. They endure isolation from their families and are frequently deprived of opportunities to play with peers and attend school.[127]

- In **Peru**, roughly 80 percent of child domestic workers are girls,[128] many working under the guise of protective, family-like arrangements.[129] In reality, however, they are often assigned all the household chores and denied an opportunity to attend school. They work long hours, often for no compensation other than meals, lodging, and clothing, and are maintained in dependent relationships.[130] Adding to their plight, these children are vulnerable to physical and sexual abuse by family members.[131]

- Similarly, in **Kenya**, girls who work as domestic servants are frequently denied time for play, lack the emotional support of their families, and often have no access to education.[132] According to one study, 70 percent of employers actually show a preference for child domestic servants who are semi-literate or illiterate.[133] Of children surveyed, most are paid in kind. Where cash is involved, it is generally paid directly to the child's parent or guardian.[134] Sexual and verbal abuse of these children is common.[135]

- It is estimated that over 31,000 Nepalese children and adolescents work as domestic servants. Demand for these children appears to be growing since they are seen as a cheap and obedient source of labor.[136] As in other countries, these children often have little or no contact with their families. They have few opportunities for play, and many have never been to school. Child domestics also rarely receive proper medical attention. Some girls regularly face sexual abuse, in the form of physical contact or verbal harassment. Some child domestic servants work to repay the debts of their parents.

---

[126] *Targeting the Intolerable* at 14.

[127] "Children in Domestic Work" fact sheet.

[128] *Mejores Escuelas* at 282-284.

[129] Interview with Areli Araoz V., Executive Director, Coordinadora Derechos del Nino - Region Inka (CODENI), by U.S. Department of Labor official (May 11, 1998).

[130] *Mejores escuelas* at 284.

[131] "La situacion de las niñas," *Niñez y adolescencia* (Lima: Grupo de Iniciativa Nacional por los Derechos del Niño-GIN, no. 1, March 1997) 4.

[132] *Sinaga Newsletter* (Nairobi: Sinaga Women and Child Labor Resource Center, no. 5, January-March 1998) 4.

[133] *Domestic Child Workers: Selected Case Studies on the Situation of the Girl–Child Domestic Workers* (Nairobi: Sinaga Women and Child Labour Resource Centre/OXFAM, July 1997) 12.

[134] *Ibid.* at 13.

[135] *Ibid.* at 14.

[136] "Domestic Children Workers in the Kathmandu Valley" at 8-9.

BEST COPY AVAILABLE

In such cases, the child's pay is either kept by the employers or taken directly by the parents.[137]

- Bonded domestic service has also been reported in the **Philippines**, where children have been known to work for months for urban employers without remuneration to repay loans incurred by their indigent families.[138]

Many child domestic servants suffer psychological trauma and impairment, physical injury, and exhaustion; some become pregnant at a young age.[139] Unfortunately, more often than not, the suffering of these children goes unnoticed and unreported.

b. Commercial Sex Workers

Child prostitution, often described as one of the worst contemporary forms of slavery, has been defined as "the act of engaging or offering the services of a child to perform sexual acts for money or other consideration . . ."[140] This definition stresses that child prostitution is not committed by children but by the adults who engage in prostitution or offer a child's sexual services to others.

Large numbers of children work in the commercial sex industry in an increasing number of countries. These children are often recruited under the false pretense of marriage or a good job in the city. Others are kidnaped or sold by their parents, and some are trafficked across national borders. The prostitution and trafficking of children is common in Asia, but also occurs in Africa, Latin America, the Middle East, and Europe.[141]

- Every year, thousands of sex tourists flock to **Thailand**, which among other countries in Asia and Africa has earned an international reputation for child prostitution.[142] Reports indicate that girls from Cambodia, China, Laos, Burma, and Vietnam are being sold to brothels in Thailand.[143] Such girls face serious health risks as evidenced by one Bangkok hostel that shelters former child prostitutes where half the girls between the ages of 14 and 18 tested positive for HIV.[144]

---

[137] *Ibid.*

[138] U.S. Embassy-Manila, unclassified telegram no. 02110, February 20, 1998.

[139] *Challenging Child Labour* (Ottawa: Canadian Labour Congress, undated) 13 [hereinafter *Challenging Child Labor*] [on file].

[140] *The Sex Sector: The Economic and Social Bases of Prostitution in Southeast Asia* (Geneva: ILO, 1998) 170 [hereinafter *The Sex Sector*].

[141] "Prostitution and Trafficking of Children," fact sheet from *Abolishing Extreme Forms of Child Labour* (Geneva: ILO, 1998).

[142] Estimates of child prostitutes in Thailand vary widely, from 13,000 to 800,000. However, some experts believe that the true extent of the problem is probably closer to the lower number. *See The Sex Sector* at 172.

[143] *Strategy and Action Against the Commercial Sexual Exploitation of Children*, prepared for the World Congress on Commercial Sexual Exploitation of Children in Stockholm, Sweden (Geneva: ILO/IPEC, August 1996) 2.

[144] *Challenging Child Labour* at 15.

BEST COPY AVAILABLE

- In **Bangladesh**, there is extensive trafficking of children for prostitution within the country and to other countries, including **India** and **Pakistan**. Traffickers commonly bring the children across borders illegally or falsely represent them as their own.[145]

- The trafficking of **Nepalese** girls to major cities in **India** and other countries is widespread. It is estimated that thousands of young women and girls, some as young as seven years old, are trafficked to Indian cities each year.[146] According to some estimates, the total number of Nepalese prostitutes in India is nearly 200,000.[147] Once confined to brothels, the girls may be subjected to multiple gang rapes, beatings, food deprivation, and cigarette burning.[148] Many sex workers in India are forced to have unprotected sex. According to a study conducted in Mumbai (formerly Bombay), 40 to 85 percent of sex workers in that city are HIV-positive. Those girls who manage to escape and return to Nepal are often rejected by their communities.[149]

- Recent estimates indicate that about 75,000 children are engaged in prostitution in the **Philippines**. Children sell sexual services on the streets or work through pimps, brothels, and parent-contractors.[150]

- In **South Africa**, children work in the sex industry in urban areas and rural townships.[151] Organized child prostitution can be found in and around taxi and trucking routes, around harbors, in domestic service, and on the street. Sex tourism using children is reportedly increasing, fed in part by the myth that sex with a virgin or young girl will either cure or prevent AIDS.[152] Rural to urban migration also leads children into prostitution.[153]

---

[145] *Survey in the Area of Child and Women Trafficking* (Dhaka: Bangladesh National Women Lawyers Association, 1997) at 65.

[146] "Girl Trafficking: An Overview," *MAITI Nepal* (Kathmandu: Maiti Nepal, undated) 1 [fact sheet on file] [hereinafter "Girl Trafficking" fact sheet].

[147] *State of the Rights Of The Child In Nepal 1998: Country Report Released by CWIN* (Kathmandu: Child Workers in Nepal Concerned Center, January 1998) 60 [hereinafter *Rights of the Child in Nepal 1998*].

[148] "Girl Trafficking" fact sheet at 1.

[149] *Ibid.* at 1-2.

[150] *The Sex Sector* at 172.

[151] *Initial Country Report of South Africa: Convention on the Rights of the Child* (Pretoria: Government of South Africa, November 1997) 104-105. *See also Child Prostitution in Southern Africa: A Search for Legal Protection*, Workshop report (Pretoria: Network Against Child Labour, March 26-28, 1996) 24-25.

[152] Anita Marshall and Vanessa Herman, *Child Sexual Abuse in South Africa* (Capetown: Resources Aimed at the Prevention of Child Abuse and Neglect—RAPCAN, March 1998) 104.

[153] Interview with Adelle DuPlessis, Director, Ntombi Shelter for Girls, by U.S. Department of Labor official (May 12, 1998).

- In **Kenya**, child prostitution mainly involves young girls and is on the rise, especially among street children.[154] Most children working in the commercial sex industry eventually contract sexually transmitted infections, including AIDS, from local adults and tourists.[155] In addition to health risks, many of these children suffer from serious psychological disorders due to the prison-like conditions in which they are held and the fact that they have lost all contact with their families.[156]

- In **Brazil**, child prostitution has been reported in the tourist areas of Bahia and Pernambuco, as well as in São Paulo and Rio de Janeiro.[157] According to an NGO survey, more than 1,000 girls were working as prostitutes in Recife in 1991. Although more recent estimates are not available, researchers believe that child prostitution in Recife is on the rise.[158]

- In **Mexico**, an increase in child prostitution in Mexico City, mostly involving girls, has been observed since 1994.[159] These girls are lured away from their families, sometimes with the family's consent, by middlemen who promise employment or marriage. The middlemen often loan substantial amounts of money to the girls, creating a dependent relationship.[160]

Commercial sexual exploitation is one of the most brutal forms of violence against children. As described above, child prostitutes suffer extreme physical, psychological, and emotional abuse.[161] They risk drug addiction, early pregnancy, social alienation, and deadly sexually transmitted infections.[162]

c. *Other Forms of Child Labor in the Service Sector*

In addition to the service sectors already discussed, children work in myriad other occupations in the 16 countries studied for this report. These occupations range from street vending and hotel and restaurant work, to car repair and construction. Many children live and work on the streets, exposed on a daily basis to harsh weather, crime, and street violence. Earnings vary widely, but most of these children are

---

[154] *Rights of the Child: Report of Ms. Ofelia Calcetas-Santos, Special Rapporteur, on the Sale of Children, Child Prostitution, and Child Pornography*, Kenya Addendum, U.N. Document No. E/CN. 4/1998/101/Add. 1 (Geneva: U.N. Commission on Human Rights, January 28, 1998) 7 [hereinafter *Report of Ms. Ofelia Calcetas-Santos*]. Among the groups of Kenyan children victimized by commercial sexual exploitation are schoolgirls and boys, young girls who migrate to urban areas, unskilled domestic servants, school dropouts, "second-generation" prostitutes, and beach boys.

[155] *Hearing on Street Children in Kenya* (Nairobi: African Network for the Prevention and Protection against Child Abuse and Neglect, 1995) 21.

[156] Mary Mbeo, *Child Labor in Africa—Targeting the Intolerable: Towards the New ILO International Standard* (Nairobi: ILO/IPEC, April 1998) 9.

[157] "O Brasil está de olho no turismo sexual infantil," *CIDADANIA* (Brasília: Secretaria de Assistência Social, no. 1 January-March 1998) 19.

[158] Interview with Ana Vasconcelos, Coordinator of Casa de Passagem, by U.S. Department of Labor officials (May 15, 1998).

[159] *Report of Ms. Ofelia Calcetas-Santos* at 5.

[160] *Ibid.*

[161] *Ibid.*

[162] *Challenging Child Labour* at 15.

BEST COPY AVAILABLE

extremely poor, making barely enough money to survive. The following examples illustrate some of the many services children perform and the conditions of work they endure.

- In **Mexico City's** Central Market (*Centro de Abasto*), the city's largest public wholesale and retail market, children work long hours, often beginning before dawn, performing tasks that in many cases exceed their physical capacity. A study published in 1997 by UNICEF and the Government of Mexico City found 400 to 500 children, many under 14 years old, working in the market.[163] A more recent report estimates that as many as 2,000 youths from age seven to 18 work in the market.[164] Boys most commonly work as *diableros*, loading and carrying heavy merchandise on small carts through the market. They also work as vendors, cashiers, and car washers. Girls assist in café kitchens, sell produce, clothing, and prepared foods, and perform commercial sex services.[165] Most of the children are illiterate and come from rural areas of Mexico; many of their parents are unemployed.[166]

- In **India**, small hotels, restaurants, and tea shops commonly employ children. Interviews with children in Dindigal, Tamil Nadu, reveal that children work in kitchens, clean dishes and utensils, serve customers, and perform menial tasks. They work six days a week, usually for about 12 hours a day, and earn 300 to 600 *rupees* per month (US$ 7.50 to US$ 15).[167] Child workers in the tea shops of **Nepal** endure similar conditions.[168]

- Hundreds of children in the Kathmandu Valley, **Nepal**, work as porters. Independently employed, they manually carry heavy loads of goods and luggage through narrow streets and alleys that vehicles cannot access.[169] Child porters carry loads up to 150 pounds and seldom earn more than 100 *rupees* (US$ 1.60) a day.[170] Working hours vary from six to 14 hours a day.[171] Adequate shelter is a problem for child porters, with many sleeping on the street or underneath temples and others sharing overcrowded rented rooms for the night. Child porters frequently suffer from ailments and injuries directly related to their work, including backaches, chest aches, and fractures.[172]

---

[163] *Voces de la infancia trabajadora en la Ciudad de México* (Mexico City: UNICEF/Government of Mexico City, 1997) 106 [hereinafter *Voces de la infancia*].

[164] U.S. Embassy-Mexico City, unclassified telegram no. 06948, July 17, 1998 [hereinafter U.S. Embassy-Mexico City telegram].

[165] *Voces de la infancia* at 31.

[166] U.S. Embassy-Mexico City telegram.

[167] Interviews conducted at the Peace Trust School, Dindigal, by U.S. Department of Labor official (May 7, 1998).

[168] *Invisible Children: Child Work in Asia and the Pacific* (Bangkok: Save the Children and Child Workers in Asia, October 1997) 40.

[169] *Burden on Childhood: Child Porters in the Kathmandu Valley* (Nepal: Concern for Children & Environment, 1997) 12, 15.

[170] *Ibid.*

[171] *Ibid.* at 23.

[172] *Ibid.* at 27-29.

BEST COPY AVAILABLE

- In **Peru**, an estimated 800 children and adolescents work on weekends and holidays helping their parents pick through and sell trash after pigs have eaten the edible garbage. They reportedly earn 50 cents per bag of garbage—typically five *soles* (US$ 1.85) a day. These children are exposed to tetanus and other infections.[173]

- Children in the **Philippines** work on docks in port areas, often at night, carrying and loading heavy bags of cement. They constantly inhale dust from the bags they carry.[174]

- In **South Africa**, children park and wash cars and work as taxi fare collectors. This is becoming an increasingly hazardous occupation since the advent of the so-called taxi wars, a reference to the gun violence surrounding competition among taxi companies for service routes.[175]

Children also work in the construction industries of many countries, including **Brazil**,[176] **Guatemala**,[177] **India**,[178] **Mexico**,[179] **Nepal**,[180] **Pakistan**,[181] and **Thailand**.[182] Children in construction perform various tasks, including digging earth, carrying heavy loads, breaking stones or rocks, and shoveling sand and cement. They face tremendous safety and health hazards, including falls, exposure to dust, heat, and noise, and numerous accidents and injuries.[183] In some cases, the burden is even greater when the work is performed under bonded conditions. In **India**, for instance, there are allegations of bonded labor in the construction industry of Tamil Nadu.[184]

Although some of the work performed by children in the service sector is highly visible, such as that of street vendors and shoeshines, the plight of many others goes largely unnoticed and unaddressed. The informal nature of children's work in the service sector makes it difficult to document the full extent of this problem, and in many countries, labor legislation fails to address such forms of child labor.

---

[173] "Especial - derechos de la niña y el niño" at 61-62.

[174] *Defining Hazardous Undertakings for Young Workers below 18 Years of Age: A Country Report* (Manila: ILO/IPEC, 1997) 65.

[175] Interview with Bokkie Botha, South African Representative, International Organization of Employers, 1998 ILO Conference Child Labor Committee, by U.S. Department of Labor official (May 7, 1998).

[176] *Diagnóstico preliminar dos focos do trabalho da crianças e do adolescente no Brasil* (Brasilia: Ministry of Labor, 1996) 85.

[177] *Menores Trabajadores en Labores de Alto Riesgo* (Guatemala City: Programa de Apoyo Para la Salud Materno Infantil y Para la Salud de Otros Grupos de Riesgo, 1997) 85.

[178] Interview with Isabel Austin.

[179] *Informe Final del II Censo de Menores en Situación de Calle de la Ciudad de México* (Mexico City: UNICEF/Departamento del Distrito Federal, 1995) 2.

[180] *Rights Of The Child In Nepal 1998* at 38. *See also Different Fields of Child Labour in Nepal* (Kathmandu: Concern for Children & Environment, Nepal, undated) [informational fact sheet on file].

[181] *Summary Results of Child Labor Survey in Pakistan* at 17.

[182] *The Situation of Child Labour in Thailand: an Overview* (Bangkok: ILO/IPEC, 1996) 7-8.

[183] "Children in Hazardous Work" fact sheet.

[184] Interview with Isabel Austin.

III. Legislation and Enforcement Efforts

A. Overview

This chapter reviews child labor laws and enforcement efforts currently in place in the 16 countries studied in this report. It also discusses recent or proposed initiatives governments are undertaking to strengthen child labor laws and enhance enforcement.

Most countries have laws prohibiting work by children under a certain age and regulating conditions of work for older children. Nevertheless, child labor laws often cover only certain sectors, exempting entire industries or occupations. The sectors most frequently excluded tend to be those with the highest numbers of working children, such as small-scale agriculture, domestic service, and small workshops.[1] In some countries, the law lacks specific sanctions or imposes inadequate penalties. In some cases, child labor laws are unclear or inconsistent, making them difficult to enforce.

Inadequate enforcement of child labor laws is a common problem throughout the world. Not all labor ministries are institutionally capable of enforcing child labor laws. Labor inspectorates are often understaffed and lack resources for transportation and other vital expenses. Training is often nonexistent or, if present, of poor quality. In many cases, the low pay of inspectors makes them easy targets for corruption. When inspectors do attempt to enforce child labor laws, they may be faced with public indifference, the hostility of powerful economic interest groups, and parents' reluctance to cooperate.[2] Finally, in countries where the judicial system is responsible for enforcing child labor laws, court systems may be slow and ineffective.

Both ILO Convention No. 138 and Article 32 of the United Nations Convention on the Rights of the Child call on countries to establish a minimum age for admission to employment, provide appropriate regulation of hours and employment conditions, and provide appropriate penalties or other sanctions to ensure that children are not economically exploited. While many countries have ratified one or both of these treaties,[3] their legislation and enforcement often fall short of meeting the standards.

B. Current Child Labor Laws

This section discusses child labor laws in the 16 countries that are the focus of this report. It examines provisions establishing a minimum age for employment and the scope and application of these laws. Since many of the countries regulate conditions of work for children once they reach the legal age for employment, these provisions are also described. Finally, the section discusses fines and penalties for violations of child labor laws.

---

[1] *Strategies for Eliminating Child Labour: Prevention, Removal and Rehabilitation* (Oslo: International Conference on Child Labor, ILO/UNICEF, October 1997) 3 [hereinafter *Strategies for Eliminating Child Labour*]

[2] *Ibid.* at 14.

[3] *See* Appendix D for specific information on countries' ratification of various international treaties on child labor.

1. Ages

The labor laws of the 16 countries studied set minimum employment ages for children. Appendix D identifies many of the relevant child labor provisions of these laws. As shown in Table III-1, the minimum age for employment varies from country to country.[4] In some countries, there is one basic minimum age, while in others, there are several ages, depending on the sector and type of work.

- In three of the 16 countries—**Bangladesh**, **Peru**, and **Tanzania**—children may begin working at age 12, but there are higher minimum age standards for specified sectors. In **Bangladesh,** the minimum age for work varies from 12 for children working in shops, commercial establishments, or various workshop settings (except factories), to 14 for those working in factories, to 15 for children employed in mines, railways, or ports.[5] In **Peru**, although children as young as 12 are permitted to work in certain occupations, a minimum age of 14 applies to children working in commercial agriculture; 15 for industrial, commercial, and mining activities; and 16 for commercial fishing.[6] Twelve year olds may perform most types of work in **Tanzania**, but the minimum work age for industry is 15 years.[7]

- Eight countries—**Brazil**,[8] **Egypt**,[9] **Guatemala**,[10] **India**,[11] **Mexico**,[12] **Nepal,**[13]

---

[4] ILO Convention No. 138 considers 15 years to be the appropriate minimum age for employment (with exceptions) but permits countries whose economy and educational facilities are insufficiently developed to specify initially a minimum age of 14 years.

[5] The Shops and Establishments Act, 1965 (Act No. VII of 1965), Section 22; the Factories Act, 1965 (Act No. IV of 1965), Section 66; the Mines and Minerals Act, 1923, Section 23; the Employment of Children Act, 1938, Section 3 (1).

[6] Children and Adolescents Code, 1992, Article 54, *as cited in Codigo de los Niños y Adolescentes* (Lima: Ministry of Justice, 1993) [hereinafter *Codigo de los Niños y Adolescentes*].

[7] Employment Ordinance No. 47 of 1955, Cap. 366, *as cited in Child Labour in Tanzania* (Geneva: ILO, Conditions of Work and Welfare Facilities Branch, Working Conditions and Environment Department, 1992) 20.

[8] 1988 Federal Constitution, Article 7, Section XXXIII and Statute of the Child and Adolescent, 1990 *as cited in Child Labor in Brazil* (Brasília: Presidência da República, Câmara de Política Social, 1997) 27-33 [hereinafter *Child Labor in Brazil*].

[9] *Law No. 12 for the Year 1996, Enacting the Child Law* (Egypt: Official Journal, Issue No. 13, 1996) 30-31 [hereinafter *Enacting the Child Law*]. This law increased the minimum age for employment from 12 to 14.

[10] Constitution of 1985, Section VIII, Article 102, Part L, *as cited in Constitutions of the Countries of the World,* Gisbert H. Flanz, ed. (Dobbs Ferry, N.Y., Oceana Publications, January 1997). *See also* Labor Code, 1947 *as cited in Código de Trabajo de la Republica de Guatemala* (Guatemala: Ministerio de Trabajo y Previsión Social, 1996) 44, 51-53 [hereinafter *Guatemala Código de Trabajo*].

[11] Child Labor (Prohibition & Regulation) Act of 1986, *as cited in Survey on Child Labor* (West Bengal: Labour Department, March 1997) 1-5 and 27 [hereinafter *Survey on Child Labor*].

[12] Federal Labor Law, 1995, Article 22, *as cited in Commercial Laws of the World: Mexico* (Florida: Foreign Tax Law Inc., 1996) 4 [hereinafter *Federal Labor Law of Mexico*].

[13] Labor Act (1992), Section 5, *as cited in Child Labor in Nepal, Volume II: An Overview and a Proposed Plan of Action* (Kathmandu: Prepared for ILO/IPEC workshop on Policy and Programming on Child Labor, August 1995)

TABLE III-1

Minimum Ages for Work

Country	*Ratification of ILO Convention No. 138 (Date)*[b]	*Minimum Age*		*Comments*
		Basic Work	*Hazardous Work*	
Bangladesh	—	12-15[a]	12-18[a]	Basic and hazardous ages apply only to certain occupations.
Brazil	—	14	18-21[a]	Basic age exempts apprentices.
Egypt	—	14	15-17[a]	Children 12-14 can participate in seasonal agricultural work.
Guatemala	April 1990	14	16	Children 12-13 can work with Ministry of Labor approval.
India	—	14	14-18[a]	Basic and hazardous ages apply only to certain occupations.
Kenya	April 1979	16	16-18[a]	Basic age applies only to industrial undertakings.
Mexico	—	14	16-18[a]	
Nepal	May 1997	14	16	Basic age applies only to certain enterprises.
Nicaragua	November 1981	14	18	
Pakistan	—	14	14-21[a]	Basic and hazardous ages apply only to certain occupations.
Peru	—	12-16[a]	18	Basic age varies by sector.
Philippines	June 1998	15	18	
South Africa	—	15	18	
Tanzania	*	12-15[a]	18	Basic age is 12; 15 for industry.
Thailand	—	15	18	
Turkey	*	15	18	

Sources: See Appendix D and *Child Labour: Targeting the Intolerable* (Geneva: ILO, 1996) 39-46 and 52-62.

Notes:
[a] Varies by sector or activity.
[b] Based on ILO Registered Ratification dates.
* Country ratified Convention No. 138. However, the official instrument of ratification has not been registered with the ILO.
— Country has not ratified.

BEST COPY AVAILABLE

Nicaragua,[14] and **Pakistan**[15]—specify a minimum age of 14.

- Four countries—the **Philippines**,[16] **South Africa**,[17] **Thailand**,[18] and **Turkey**[19]—set their basic minimum age at 15.
- In **Kenya**, the basic minimum age is set at 16, but only applies to certain sectors.[20]

As shown in Table III-1, all 16 countries studied have set a minimum age for hazardous employment.[21] Some countries, however, specify a range of minimum ages for hazardous work, which vary by sector or type of employment:

- In one country—**Bangladesh**—the minimum age for hazardous work varies from 12 to 18 depending on the occupation. The Employment of Children Act permits children as young as 12 to be employed in workshops involving tanning, and producing carpets, cement, matches, fireworks, and explosives, among other items.[22]
- In two countries—**India**, and **Pakistan**—the minimum age for hazardous employment is as young as 14, but varies up to 18 and 21, respectively, depending on the occupation.[23]

---

[14] Labor Law, Article 131, 1996. *See Ley 185 Código del Trabajo: Republica de Nicaragua*, as published in the Official Gazette # 205 on October 30, 1997 (Nicaragua: Centro Nicaragüense de Estudios Laborales/USAID, March 1998) [hereinafter *Nicaragua Código del Trabajo*]. In addition, Nicaragua recently adopted the Childhood and Adolescence Code (Law No. 287, 1998) which provides additional protection for children and adolescents.

[15] Constitution of 1973, Article 11(3) and Employment of Children Act, 1991, *as cited in* Anees Jillani, *Child Labor: The Legal Aspects, Vol. I and II* (Islamabad: Society for the Protection of the Rights of the Child, 1997) 4 [hereinafter *Pakistan The Legal Aspects*].

[16] Republic Act No. 7658 (amending R.A. 7610), *as cited in Special Protection of Filipino Children* (Manila: Philippine Commission on Human Rights, Children Rights Center in Manila, 1994) 40 [hereinafter *Special Protection of Filipino Children*].

[17] Child Care Act (33 of 1960), Section 52A, *as cited in* Willem Schurink, Choarelo Molope, and Sam Tshabalala, *Exploring Some Dimensions of Child Labour in South Africa*, Working Document (Pretoria: The Centre for Human Rights, 1997) 12.

[18] Labour Protection Act, B.E. 2541 (1998), Chapter 4, Section 44. This recently enacted law raises the minimum age for employment from 13 to 15 years and requires more thorough inspections.

[19] Labour Act No. 1475, Article 67 (1971), *as cited in Child Labour in Turkey* (Ankara: ILO, Turkish Confederation of Employer Associations, 1997) 28.

[20] The Employment Act (Cap. 226), 1976. A proposed Children and Women Bill currently under debate by the Kenyan Parliament would lower the minimum age from 16 to 15. The ILO Committee of Experts has stated that, if passed, this proposed bill would create a serious discrepancy between Kenyan law and ILO Convention No. 138, which encourages ratifying states to progressively raise minimum age standards but does not permit them to lower such standards. *See Report of the Committee of Experts on the Application of Conventions and Recommendations* (Geneva: ILO, 1998) 433.

[21] ILO Convention No. 138 sets a minimum age of 18 for hazardous employment, irrespective of a country's level of development. Convention No. 138 defines hazardous work as work which by its nature or the circumstances in which it is carried out is likely to jeopardize the health, safety, or morals of young persons. The ILO is currently drafting a new convention on the worst forms of child labor that will include a definition of hazardous work.

[22] *See* Appendix D.

[23] *Ibid.*

- In four countries—**Guatemala**, **Kenya**, **Nepal**, and **Mexico**—the minimum age for hazardous employment is 16.[24] In **Mexico**, however, the minimum age for hazardous employment ranges up to 18 for certain types of work.[25]

- Finally, eight countries—**Brazil**, **Nicaragua**, **Peru**, the **Philippines**, **South Africa**, **Tanzania**, **Thailand**, and **Turkey**—set their minimum age for hazardous employment at 18.[26] In **Brazil**, the minimum age for hazardous employment ranges up to 21.[27]

Some countries have a general or blanket prohibition on the hazardous employment of children but provide little specification of the types of work they consider hazardous. Others provide considerable detail in defining hazardous occupations. Common examples of hazardous occupations include working in places where alcohol is produced or sold, in mines, tunnels, confined spaces, tanneries, garbage dumps, and nightclubs, and in construction, maritime, underground, or underwater activities. Laws also frequently prohibit employing children in work that involves specific agents or products such as asbestos, cement, chemicals, explosives, fumes, dust, gases, mercury, paints, solvents, glue, enamels, tobacco, and radioactive substances.

2. Coverage

The child labor laws of many countries are limited by their narrow scope, lack of clarity, and loopholes. Often, laws apply only to specific economic sectors, excluding those activities where the highest numbers of working children are found, such as small-scale agriculture, domestic service, and small workshops.[28]

- In **Bangladesh**, for example, there is no uniform minimum age for employment; several laws specify different minimum ages according to type of establishment and sector. Work performed by children in agriculture, domestic work, and the informal sector are not covered by Bangladeshi child labor laws.[29]

- In **India**, the Child Labor Prohibition and Regulation Act, 1986, bars the employment of children under 14 years old in seven occupations and 18 processes. However, the law does not prohibit child labor in other sectors or occupations.[30]

---

[24] Guatemala, Kenya, and Nepal have all ratified ILO Convention No. 138, which requires ratifying parties to set the minimum age for hazardous employment at age 18, but they have not yet harmonized their laws with this standard. The ILO is working with these countries to encourage compliance with the standard.

[25] *Child Labour: Targeting the Intolerable* (Geneva: ILO, 1998) 41 [hereinafter *Targeting the Intolerable*].

[26] *See* Apendix D..

[27] *Targeting the Intolerable at 41.* In Brazil, a minimum age of 21 applies for underground work.

[28] *Strategies for Eliminating Child Labour* at 14.

[29] Wahidur Rahman, *Child Labour in Bangladesh: Its Context and Response to It* (Dhaka: ILO/IPEC, May 1998) 7.

[30] *Survey on Child Labor* at 1-6.

- Similarly, in **Pakistan**, the Employment of Children Act, 1991, prohibits the employment of children under age 14 only in certain specified occupations and processes.[31]

- In the **Philippines**, children under the basic minimum work age of 15 are permitted to work under the sole responsibility of a parent or guardian, provided that only members of the employer's family are employed.[32]

- In **Egypt**, Child Law No. 12 sets the minimum age of employment at 14. However, children 12 to 14 years of age are permitted to be employed in seasonal work that does not threaten their health, growth, or school attendance. A special decree by the governor and approval by the Minister of Education is required before a child is permitted to participate in such work.[33]

- **Kenya's** Employment Act (Cap 226) and the Regulation of Wages and Conditions of Employment Act (Cap 229) prohibit employing children under 16 in "industrial undertakings," which include mines, quarries, factories, construction sites, and transport. The Act excludes other sectors such as agriculture, where the majority of children are reported to work.[34]

- In **Nepal**, the minimum age for employment is 14, according to the Labour Act of 1992, but some enterprises, such as plantations and brick kilns, are excluded.[35]

Exceptions in child labor legislation are sometimes made for apprenticeships or educational work. In **Brazil**, for instance, the Federal Constitution of 1988 forbids children under age 14 to work, except as apprentices.[36] However, according to the Brazilian Ministry of Labor, this exception, which allows children between the ages of 12 and 14 to engage in educational activities in apprenticeship programs, is abused by many employers to gain a source of cheap and compliant labor.[37]

---

[31] Labour Law & Rules, Employment of Children Act 1991, Act No. V of 1991. *See Pakistan The Legal Aspects* at 32-35.

[32] *See* Republic Act No. 7658, an Act Prohibiting the Employment of Children below 15 Years of Age in Public and Private Undertakings, Amending for this Purpose Section 12, Article VIII of R.A. 7610.

[33] Nadia Ramsis Farah, *Child Labour in Egypt within the Context of the CRC* (Cairo: Center for Development Studies/UNICEF, June 1997) 29. *See also Enacting the Child Law* at 30.

[34] Benson Oyuga, Collette Suda, and Afia Mugambi, *A Study of Action against Child Labour in Kenya: Towards a Best Practice Guide on Sustainable Action against Child Labour for Policy Makers* (Nairobi: ILO/IPEC, 1997) 27-28 [hereinafter *Action against Child Labour in Kenya*].

[35] Yubaraj Sangroula, *Child Labor: Legislation and Enforcement Situation*, paper prepared for ILO/IPEC, Nepal (1997) 14 [hereinafter *Nepal Legislation and Enforcement Situation*].

[36] Although the Constitution does not specify a minimum age for apprenticeship work, there is consensus among legal professionals in Brazil that 12 years is the appropriate age for this type of activity. From 12 to 14, the only acceptable kind of work is a type of prevocational training that excludes all tasks carried out in industrial facilities. *Child Labor in Brazil* at 27-28.

[37] Interview with Ruth Vivela, Secretary of Labor Inspections, Ministry of Labor, by U.S. Department of Labor official (May 14, 1998). *See also* interview with Jussara de Goias, consultant, Children and Adolescents Issues, Instituto de Estudos Socio-Economicos (INESC), by U.S. Department of Labor official (May 14, 1998) [hereinafter Interview with Jussara de Goias].

Some countries limit the scope of their legislation by allowing underage children who have an economic need to work. In **Peru**, for example, a provision recently added to the Children and Adolescents Code implicitly legitimizes work by children under 12 years old by stating that children (defined as any individual from conception to 12 years of age) who work "out of economic or material necessity" have the "right to participate in programs aimed at ensuring their educational process and their physical and mental development."[38]

While the laws in most countries are silent on the issue of domestic workers, legislation in the **Philippines** and **Peru** makes a specific reference to their working conditions.

- According to **Peru's** Children and Adolescents Code, domestic workers and nonremunerated family workers have the right to 12 hours of uninterrupted rest every day. In addition, employers, parents, or relatives must guarantee their regular school attendance. Specialized judges dealing with children's issues are to oversee the enforcement of all issues relating to domestic workers.[39]

- The **Philippine** Labor Code mandates that employers of children under 18 years of age in domestic work give them an opportunity for at least an elementary education, the cost of which is to be considered as part of the workers' compensation.[40]

Some countries have legislation specifically relating to child prostitution and the trafficking of minors or bonded child labor:

- In **Thailand**, for example, the Prostitution Prevention and Suppression Act of 1996 widens the definition of "brothel" and increases penalties for brothel owners and procurers and traffickers of children. It also institutes penalties for officials who fail to enforce the law and for parents who sell their children into prostitution.[41] A more recent law, the Measure in Prevention and Suppression of Trafficking in Women and Children Act of 1997, focuses on the need to protect and provide food, shelter, and repatriation to victims of trafficking.[42]

- In the **Philippines**, the Special Protection of Children against Child Abuse, Exploitation, and Discrimination Act imposes a sentence of up to life imprisonment for persons found guilty of trafficking in children.[43]

---

[38] Children and Adolescents Code, Article 22, *as cited in Codigo de los Niños y Adolescentes* at 22-37.

[39] *Ibid.* at 36, Article 67.

[40] *See Opening Doors: A Presentation of Laws Protecting Filipino Child Workers, a Revised Edition* (Makati City: Ateneo Human Rights Center and ILO, 1997) 89-90 [hereinafter *Opening Doors*].

[41] *Thailand Country Study Toward a Best Practice Guide on Sustainable Action Against Child Labour* (Bangkok: ILO, 1998) 36.

[42] Measure in Prevention and Suppression of Trafficking in Women and Children Act B.E. 2540 (1997), Section 11.

[43] *See* Republic Act. No. 7610, or the Special Protection of Children against Child Abuse, Exploitation and Discrimination Act, Article IV, Section 7, *as cited in Special Protection of Filipino Children* at 8.

- **Bangladesh**, **India**, and **Pakistan** all have laws prohibiting bonded child labor or the pledging of a child's labor in exchange for a loan or other services.[44]

3. Regulation of Working Minors

In some countries, child labor laws regulate conditions of work for minors who have reached the basic minimum age for employment and are permitted to work legally.

- For example, in **Peru**, children between the ages of 12 and 14 are not permitted to work more than four hours a day or 24 hours a week.[45] Six hours of work per day is the maximum allowed for children below a certain age in **Egypt**, **Guatemala**, **Mexico**, **Nepal**, **Nicaragua**, and **Peru**.[46]

- **Mexican** law and requires that 14- and 15-year-olds be provided with a one-hour break after every three hours of work and prohibits their employment in overtime work.[47]

- In **Thailand**, adolescents from 15 to 18 years of age must be given one hour of rest after every four hours of work.[48]

- The laws of many countries—including **Brazil**, **Egypt**, **Guatemala**, **Kenya**, **Mexico**, **Nepal**, **Nicaragua**, **Peru**, and the **Philippines**—prohibit youths below a certain age from working at night.[49]

Several countries also have provisions requiring minors or the employers of minors to obtain employment authorization from labor officials. In many instances, work authorizations are contingent on factors such as limiting the number of hours of work, proof of age, parental permission, proof of school enrollment, a medical certificate, and proof that the work will not interfere with studies and will not negatively impact the child's health or well-being.

- In **Guatemala**, the labor code gives the Ministry of Labor authority to grant work permits to children ages 12 and 13. The Ministry's child protection unit, which processes these requests, bases approval on the economic status of the family, whether the job is an apprenticeship, and assurances that employment will not interfere with school.[50]

---

[44] *See* Appendix D for specific references.

[45] *Codigo de los Niños y Adolescentes* at 34. In Peru, it is unclear whether these limitations on hours of work apply to domestic workers or nonremunerated family workers. According to the Labor Code, these types of workers have the right to 12 hours of uninterrupted rest every day. Some observers have criticized this clause as implying that children doing domestic work can work for the remaining 12 hours in the day. *See also* Francisco Verdera, *El trabajo infantil en el Peru - Diagnostico y propuestas para una politica nacional* (Lima: ILO/IPEC, 1995) 58.

[46] *See* Appendix D for specific references.

[47] Federal Labor Law, 1995, Article 177 and 178, *as cited in the Federal Labor Law* of Mexico at 37.

[48] *Contemporary Forms of Slavery: Report of the Secretary-General on the Implementation of the Programme of Action for the Elimination of the Exploitation of Child Labor, submitted pursuant to Sub-Commission Resolution 1997/22*, U.N. Document No. E/CN.4/Sub.2/1998/12 (Geneva: United Nations Commission on Human Rights, 1998) 3 [hereinafter *Contemporary Forms of Slavery*].

[49] *See* Appendix D for specific provisions and sources.

- In **Kenya,** the Ministry of Labor requires that an employer receive written permission from an authorized labor officer prior to hiring a child under the age of sixteen years. All such permits must be renewed annually.[51]

- In **Mexico**, 14- and 15-year-olds must receive authorization to work from their parents or legal guardians as well as the labor authorities. They are also required to provide employers with a medical certificate certifying that they are physically able to work.[52] Work authorization is conditional on completion of compulsory education, unless labor authorities find that the work is compatible with school.

- In **Peru**, the Ministry of Labor authorizes the work of adolescents working for third parties or in dependent situations. District or provincial municipalities are charged with authorizing the work of street children and domestic servants within their jurisdiction. Authorizing entities must keep a registry listing names, names of parents, birth date, address, nature of work, pay, work schedule, school attended, and class schedule, and must give the adolescent a notebook authorizing work. The authorization expires on the date the minor comes of age.[53] In order to receive authorization, the work must not interfere with regular school attendance, and the adolescent must have a medical certificate—provided free of charge by the Ministry of Health. The Ministry of Labor also requires proof of identity and proof that the child is enrolled in school.[54]

4. Fines

Laws in a number of countries specify fines or other penalties for violations of their child labor provisions. The level of these sanctions, and their effectiveness, varies from country to country.

- In **Egypt**, provincial governors may rescind the license of a workshop that hires children under 14 years of age. Parents and employers can be sent to prison for up to one month or fined from 200 to 500 Egyptian pounds (US$ 59 to US$ 147) for not allowing children to go to school.[55]

---

[50] *Guatemala Código de Trabajo* at 16-20.

[51] The Employment Act (Cap. 226), 1976 and the Employment (Children) Rules, 1977 *as cited in* Federation of Kenya Employees, "FKE Guidelines on Employment of Children" (Nairobi: Federation of Kenya Employees, August 29, 1996) 2 [on file] [hereinafter 'FKE Guidelines].

[52] Federal Labor Law, 1995, Articles 22 and 23, *as cited in Federal Labor Law of Mexico* at 4.

[53] *El Peruano - Normas Legales* (September 3, 1994) 125694.

[54] If a school certificate is not available, parents are required to sign a commitment that the child will go to school. Interview with Fernando Velasco Cordova, Technical Advisor to the High Directorate, Ministry of Labor and Social Welfare, by U.S. Department of Labor official (May 4, 1998) [hereinafter Interview with Fernando Velasco Cordova].

[55] Interview with Sallama Shaker, Deputy Assistant Minister for North American Affairs, Ministry of Foreign Affairs, by U.S. Department of Labor official (May 9, 1998).

- In 1996, **India**'s Supreme Court established a penalty of 20,000 *rupees* (US$ 470) for persons employing children in hazardous industries.[56]

- In **Kenya**, Legal Notice No. 155 limits the amount of employer sanctions for violations of child labor laws to 4,000 shillings (US$ 70).[57]

- Violators of **Mexico's** Federal Labor Law provisions with respect to the employment of children may be sanctioned with fines ranging from three to 155 times the daily general minimum wage in force at the place and time at which the violation was committed.[58] This could result in a fine as low as US$ 10. Fines for violations of newly enacted health and safety regulations on work by youths in hazardous occupations range from 15 to 315 times the daily minimum wage.[59]

- **Nicaragua's** Labor Code establishes fines of 500 to 5,000 *córdobas* (US$ 47 to US$ 470) for violations of the labor rights of children and adolescents.[60]

- In the **Philippines**, violators of child labor laws are penalized with fines of 1,000 to 10,000 *pesos* (US$ 25 to US$ 253) or imprisonment of three months to three years, or both. In the case of repeated violations, the offender's operating license may be revoked.[61]

- **South Africa's** Basic Conditions of Employment Act (BCEA) of 1997 provides for a maximum penalty of three years in jail for those who illegally employ children. It is also an offense to assist an employer who contravenes the BCEA or to discriminate against a person who refuses to allow a child to be employed.[62]

- In **Thailand**, government officials who fail to enforce prostitution and trafficking laws relating to children or who perpetrate the sexual exploitation of children can be punished with imprisonment of 15 to 20 years and a fine of 300,000 to 400,000 *baht* (US$ 8,000 to US$ 11,000).[63]

---

[56] The December 10, 1996 Supreme Court decision established a fund to be created from the proceeds of this fine to provide supplemental income to parents and guardians of child workers on the condition that the children be sent to school. The Court also ordered that a survey of the child labor situation in the country be conducted. *See Country Reports on Human Rights Practices for 1997* (Washington, D.C.: U.S. Department of State, 1997) 1655-1656.

[57] "FKE Guidelines" at 2.

[58] *See* "Written Submission by the Embassy of Mexico," *Public Hearings on International Child Labor* (Washington, D.C.: U.S. Department of Labor, February 13, 1998) 14 [hereinafter Embassy of Mexico Submission]. As of January 1, 1998, the minimum wage in Mexico ranged from 26 to 30 *pesos* (US$ 3.25 to US$ 3.75) per 8-hour day, depending on the region.

[59] *See* Federal Regulation on Occupational Safety, Health, and Environment, Article 167, *as cited in Reglamento Federal de Seguridad, Higiene y Medio Ambiente de Trabajo* (Mexico City: Secretaria del Trabajo y Prevision Social, 1997) 66.

[60] Labor Law (1996), Article 135. *See Nicaragua Código del Trabajo* at 21.

[61] *Opening Doors* at 75

[62] "Child Labor," South Africa Department of Labor pamphlet (March 1998) [on file].

[63] Section 12 of the Prostitution Prevention and Suppression Act of 1996 *cited in Thailand Best Practice Guide* at 141

Some countries have state-level laws addressing child labor.

- In the **Philippines**, ordinances that address child labor concerns have been issued at the provincial and municipal levels, especially with regard to employing children in entertainment centers and the production of pyrotechnics.[64]

- In **Brazil**, state governments have recently enacted laws to regulate child labor and prevent the exploitation of children and adolescents. In 1997, the São Paulo State Assembly enacted a procurement law barring all companies that use child labor from bidding on public contracts with the state and making the legal representative of the company responsible for any infraction of the law.[65]

C. Current Enforcement of Child Labor Laws

Even the most comprehensive laws can be ineffective without adequate enforcement. This section describes current child labor law enforcement strategies in the countries studied for this report. It also discusses some of the obstacles faced by labor inspectors in effectively enforcing the laws, including lack of resources, inadequate training, cultural attitudes towards child labor, and corruption.

1. Enforcement Strategies

Most countries studied have mechanisms in place to enforce their child labor laws. In many countries, labor inspectors visit work places to ensure that no underage children are working and to check that adolescents of working age have the necessary documentation and are working under the proper conditions. Inspectors use different strategies for dealing with violations of child labor laws, including working with employers, parents, and children to correct the situation, removing children from the work place, imposing fines and other penalties on those who do not comply, and/or pursuing the case in the judicial system, as appropriate.

In the **Philippines**, for example, the Department of Labor and Employment conducts routine and complaint-driven inspections to follow up on allegations of illegal child labor. Depending on the nature of the violation, an inspector or quick-action response team (with a police escort) is dispatched to deal with the problem. Violations are then reported to the court system for future action.[66]

Other countries focus their child labor enforcement efforts on moving children out of hazardous work or specific sectors or industries.

---

[64] *See* "Written Submission by the Embassy of the Philippines," ***Public Hearings on International Child Labor*** (Washington, D.C.: U.S. Department of Labor, February 13, 1998) 9 [hereinafter Embassy of the Philippines Submission].

[65] *A History of Action 1990-1997* (São Paulo: Abrinq Foundation for Children's Rights, 1998) 52. *See also* American Consulate-São Paulo, unclassified telegram no. 2736, November 3, 1997.

[66] U.S. Embassy–Manila, unclassified telegram no. 014481, November 20, 1997 and U.S. Embassy–Manila, unclassified telegram no. 02110, February 20, 1998.

- In **Turkey**, the labor authorities' approach to child labor enforcement has changed over time, according to labor officials. Initially, the law was followed quite rigidly—if child labor was uncovered, children were removed from the work place; often the work place was closed down. Due to the belief that elimination of child labor is not a realistic short-term goal, a different approach was taken three years ago. Inspectors now focus on improving working conditions and moving children to less hazardous work situations.[67]

- In **Brazil**, the government has targeted its efforts on the elimination of the most intolerable forms of child labor—such as work in sisal and sugar cane plantations, charcoal ovens, factories, stone quarries, salt rock mining, and other activities that are dangerous for children.[68] The Brazilian Ministry of Labor conducted a diagnostic study of child labor in the country and is currently using the findings to carry out targeted inspections.

- In **Nepal**, the Ministry of Labor focuses on eradicating child labor in the formal sector, in particular in the carpet industry.[69]

While a number of countries have enforcement strategies and mechanisms in place, often they are not effectively implemented. For instance, even though in some countries the enforcement strategies include both routine and complaint-driven inspections, in reality, inspectors generally investigate only those cases for which they have received complaints. In **Thailand**, for example, inspectors generally only respond to specific public complaints or newspaper reports.[70]

2. Obstacles to Effective Enforcement

Labor inspectorates are often understaffed and underfunded and lack resources for transportation outside urban centers. Training of inspectors is often nonexistent or of poor quality.

- In **Egypt**, for example, lack of appropriate transportation to work sites and dim promotion prospects for inspectors, as well as lax conditions in the bureaucracy, have been mentioned as obstacles to the effective enforcement of the 1996 Child Law.[71]

- In **India**, state-level labor ministries, which have primary responsibility for enforcing the country's statutory prohibitions on various forms of child labor, are invariably underfunded and understaffed. Inspectors have manifold functions and duties, including inspecting safety and health, wage payments, and overtime. Child labor is not their exclusive focus, and many have little sensitivity for the issue. In Tamil Nadu, a state with a population of over 60 million, the Department of Labor has 29 inspectors.[72]

---

[67] Interview with Filiz Anik, Child Labor Unit, Ministry of Labor and Social Security, by U.S. Department of Labor official (April 28, 1998). Additionally, interview with officials and inspectors of the Child Labor Unit in Istanbul, by U.S. Department of Labor official (May 1, 1998) [hereinafter Interview with officials and inspectors of Child Labor Unit in Istanbul].

[68] "A infância mutilada," *LIDA* (Brasilia: Ministério do Trabalho, no. 4, September/October 1997) 12.

[69] The Ministry of Labor is concentrating on the carpet industry because it has found little child labor in other areas of the industrial sector. Interview with Renuka Manandhar, Undersecretary, Ministry of Labor, by U.S. Department of Labor official (May 18, 1998).

[70] *Country Reports on Human Rights Practices for 1997* (Washington, D.C.: U.S. Department of State, 1997) 917.

[71] Interview with Mohammed El-Murtada Mustafa, ILO/Egypt Director, by U.S. Department of Labor official (May 7, 1998) [hereinafter Interview with Mohammed El-Murtada Mustafa].

- Officials in the **Kenyan** Ministry of Labor have expressed concern about the insufficient number of labor inspectors covering the entire country. Currently, Kenya has only 200 labor inspectors.[73]

- According to **Mexican** federal labor officials, state labor inspectors do not receive the same level of training as federal inspectors and are not always sufficiently vigilant in applying child labor laws.[74] Some state labor officials, in turn, complain of a lack of resources and training, and emphasize the difficulty of enforcing child labor laws in agriculture, particularly in areas where parents complain that their children should work because they are so poor. Lack of adequate transportation to travel from the cities to inspect farms was also cited as an obstacle to effective enforcement.[75]

In some cases, corruption is a further obstacle to effective enforcement:

- In **Guatemala**, for instance, the salaries of labor inspectors are significantly less than the average salary paid to police and to teachers. The low pay of inspectors—all of whom must hold a law degree—not only makes them easy targets for corruption but also makes it difficult for the Labor Inspection Office to retain high quality staff. In 1998, the Ministry of Labor dismissed five Guatemala City-based inspectors for taking bribes.[76]

- In **India**, it is widely alleged that inspectors receive bribes or other considerations from enterprise owners. A child laborer told a visiting U.S. Department of Labor official that when inspectors came to the textile factory where she worked, all working children were sent to a storage room until the inspector had departed.[77] Others tell of advance notification by inspectors or of inspectors who never go beyond the management offices.

---

[72] Interview with D. Sarangi, Secretary of Labor, Tamil Nadu, by U.S. Department of Labor official (May 6, 1998).

[73] Interview with Labor Commissioner Mwadime and Child Labor Department officials, Ministry of Labor and Development, by U.S. Department of Labor official (May 5, 1998) [hereinafter Interview with Labor Commissioner Mwadime].

[74] Interview with Claudia Franco Hijuelos, General Coordinator, International Affairs; Luis Farias, Special Advisor; Joaquín Blanes Casas, Director General, Federal Labor Inspectorate; and Alberto Piedra, Director, Information and Analysis, Ministry of Labor and Social Welfare, by U.S. Department of Labor official (April 20, 1998) [hereinafter Interview with Ministry of Labor and Social Welfare officials].

[75] Interview with Leonor Cebreros Murillo, Director, Labor and Social Welfare, State of Sinaloa, by U.S. Department of Labor official (April 22, 1998) and interview with Eleazar F. Verastegui Galicia, Director, Department of Labor and Social Welfare of the State of Baja California, by U.S. Department of Labor official (April 27, 1998) [hereinafter Interview with Eleazar F. Verastegui Galicia].

[76] Interview with Rosa Maria Cabrera, Chief Labor Inspector, Ministry of Labor, by U.S. Department of Labor official (June 1, 1998).

[77] Interview with child laborer in Dindigal, by U.S. Department of Labor official (May 8, 1998).

BEST COPY AVAILABLE

Inspectors sometimes choose not to remove children from work or impose fines, even when they find violations.

- In **Brazil**, according to a coordinator of a regional child labor unit, some inspectors still believe that it is better for children to be working than to be on the streets. Thus, inspectors tend to ignore many of the more "tolerable" forms of child labor.[78]

- During farm inspections in Baja California, **Mexico**, in 1996 and 1997, state labor authorities found hundreds of underage workers. However, fines were not assessed for fear of the negative economic impact on migrant families, many of whom choose to have their children work to contribute to family income.[79]

- In **Egypt**, inspectors sometimes have not fined violators because "they are aware that all of the illegal working children had dropped out of school, education was a luxury, their families needed their income for survival, and many of their fathers were unemployed."[80]

- In **Thailand**, inspectors tend to negotiate promises of better future behavior by violators of child labor laws rather than seeking prosecution and punishment.[81]

Enforcement information regarding child labor laws is often anecdotal. Few countries evaluate the implementation of their laws, and consequently, there is little accountability. In some countries, however, independent bodies document and report human rights violations, including child labor.

- In **India**, for instance, when it conducted surveys of human rights issues, the National Human Rights Commission (NHRC), an autonomous government agency empowered to investigate human rights violations, found that little had been done to comply with the 1986 Child Labor Elimination Act.[82] Specifically, the NHRC found that labor inspectors were conducting poor quality inspections and prosecutions were faulty; medical officers charged with determining the ages of working children frequently falsified reports at the behest of employers; and the efforts of employers and employers' associations to address the problems were proving unsuccessful. It also found that only seven of India's 25 states had their own human rights commissions

---

[78] Interview with Marilha de Oliveira Silva, Coordinator, Unit for Combating Child Labor and Protecting Adolescent

[79] Interview with Eleazar F. Verastegui Galicia.

[80] Interview with Mohammed El-Murtada Mustafa.

[81] *Country Reports on Human Rights Practices for 1997* (Washington, D.C.: U.S. Department of State, 1997) 917.

[82] Interview with R.V. Pillai, Secretary-General, National Human Rights Commission, by U.S. Department of Labor official (May 5, 1998).Workers, São Paulo, by U.S. Department of Labor officials (May 8, 1998).

BEST COPY AVAILABLE

and that efforts by the states generally were marked by a low level of commitment and a high degree of bureaucratic squabbling.[83]

D. Efforts to Strengthen Laws and Enforcement

This section describes efforts by the countries studied to strengthen and more effectively enforce child labor laws. A number of countries have recently made or are considering changes to their child labor legislation, including increases in the minimum age for employment, adoption of uniform standards, and expanding coverage of child labor laws. Other countries are taking steps to increase the number and improve the training of labor inspectors or introduce new enforcement strategies. A few countries are targeting their enforcement efforts on sectors where child labor is particularly exploitative and hazardous.

1. Legislation

In the area of legislation, efforts underway focus on raising the minimum age for work or adopting a uniform minimum age.

- The Government of **Bangladesh** has drafted a new labor code, setting a uniform minimum age of 14 years for admission to all forms of work. The new labor code is currently awaiting approval by Parliament.[84]

- In **Brazil**, a constitutional amendment has been introduced in the National Congress to eliminate the possibility of children working before the age of 14, without exceptions for apprentices.[85]

- In **Thailand**, a new labor law passed in 1998 raises the minimum age for employment from 13 to 15 years of age. It also requires employers to inform labor inspection offices within 15 days of their employment of any minors below age 18. The new law requires that minors from 15 to 18 years of age be given at least one hour of rest after every four hours of work, and prohibits employers from demanding or receiving money in return for employing children.[86] Finally, the law prohibits employers, supervisors, or inspectors from sexually abusing young employees and increases the maximum penalty for such abuse from a sentence of six months imprisonment or a fine of 2,000 *baht* (US$ 55) to a fine of up to 20,000 *baht* (US$ 550).[87]

Additional legislative initiatives in a number of countries include the following:

---

[83] *Ibid.*

[84] Interview with Reza-a-Rebe, Joint Secretary, Ministry of Labor and Manpower, Government of Bangladesh, by U.S. Department of Labor official (May 13, 1998).

[85] Support for this amendment will facilitate Brazilian ratification of ILO Convention No. 138. The amendment was sent to Congress in 1996. *Child Labor in Brazil* at 28. However, according to an NGO representative, prospects for enactment are small. Interview with Jussara de Goias.

[86] *Thailand Best Practice Guide* at 21.

[87] Labour Protection Act B.E. 2541 (1998), Sections 16 and 147. *See also Contemporary Forms of Slavery* at 3.

BEST COPY AVAILABLE

- In the **Philippines**, several bills seeking to fill gaps in existing legislation on the protection of children—primarily focusing on employment of children in hazardous occupations, child abuse, and prostitution—have been introduced recently in the Philippine Congress. In addition, a bill introduced in 1997 asked for an investigation of the apparent "alarming increase" in the incidence of child labor in the Philippines.[88]

- **South Africa**'s Child Labor Inter-Sectoral Group, made up of representatives from government, NGOs, academia, and international organizations, has proposed a legislative initiative requiring that civil fines levied against employers using child labor be used to fund poverty alleviation programs for the families of affected children.[89]

- **India's** Ministry of Labor recently issued a notice of its intention to broaden the scope of the Child Labor (Prohibition and Regulation) Act to include additional areas where children under 14 are prohibited from working. This proposal, if implemented, will broaden the list of prohibited occupations to include "handling of explosives and toxic and flammable substances" (bringing the total to eight) and expand the list of prohibited work processes by an additional 36 processes (bringing the total to 54). The proposed modifications have not yet gone into effect.[90]

2. Implementation and Enforcement

Some countries are taking action to address enforcement issues by increasing the number of inspectors, providing and improving training, and targeting inspections in certain sectors. Other countries are improving coordination of enforcement efforts.

- **Kenya's** Ministry of Labor has established a child labor unit and is in the process of expanding its child labor inspection team.[91]

- In the **Philippines**[92] and **Turkey**,[93] labor authorities have broadened the focus of their inspector training from strictly regulatory to one that examines the hazards children face and develops inspectors' communications skills so they can work more effectively with employers, supervisors, parents, and children.

---

[88] *See* Embassy of the Philippines Submission at 8.

[89] *The South African Child Labour Action Program* (Johannesburg: Child Labor Inter-Sectoral Group, 1998) 4.

[90] *The Gazette of India: Extraordinary, Part II*, Section 3, Sub-Section (ii), July 23, 1998. *See* Appendix D for a full listing of all prohibited occupations and processes.

[91] Interview with Labor Commissioner Mwadime. *See also Action against Child Labor in Kenya* at 88.

[92] *See* Philippine National Child Labor Program, *Reaching Out to the Filipino Working Children*, report presented at the Asian Regional Consultation on Child Labor, Lahore, Pakistan, 11-13 August 1997, 10.

[93] *Draft IPEC Working Paper* (Ankara: ILO-IPEC, April 1998) 3 [on file] [hereinafter *Draft IPEC Paper*].

- In **Mexico**, the federal Secretariat of Labor and Social Welfare has signed Coordination Agreements with 24 state labor authorities (eight more are pending signature) to facilitate standardized training of local labor inspectors and establish a system for exchanging information on labor inspections between state and federal officials.[94]

- The **Brazilian** Ministry of Labor has established a mobile inspection group responsible for eliminating all forms of degrading work, particularly that carried out by children.[95] Working in close cooperation with other federal agencies and local NGOs, ministry inspectors in the state of Pernambuco helped to stop or prevent children from harvesting sugar cane in the Zona de Mata.[96] Similarly, the Public Ministry of Labor, an independent agency under the Public Ministry, has also assisted in the enforcement of child labor laws by investigating allegations of child labor and by prosecuting violators in the Labor Court.[97]

- In conjunction with ILO/IPEC, inspectors in the Child Labor Unit (CLU) of **Turkey's** Ministry of Labor and Social Security are working with employers of children in the leather and footwear industries in Istanbul to improve health and safety conditions, including increasing ventilation and reducing the use of dangerous chemicals. CLU inspectors have met with the employers to encourage them to shorten working hours and hire older workers.[98] CLU inspectors have also undertaken an initiative to increase employer awareness of the dangers posed by the solvents and adhesives used in the leather and footwear industries.[99] Finally, labor inspectors have met with adhesives producers who supply the bulk of leather and footwear plants in Istanbul in an effort to reduce the levels of harmful chemicals. Consequently, levels of the chemical hexane in the adhesives have been reduced significantly.[100]

- In **Nicaragua**, the Minister of Labor is increasing the number of child labor inspections and systematizing labor inspection records.[101]

---

[94] *See* Embassy of Mexico Submission at 1 and 19.

[95] *Child Labor in Brazil* at 50.

[96] "O dereito a uma vida melhor para os pequenos brasileiros," *CIDADANIA* (Brasilia: Secretaria de Assistência Social, no. 1, January-March 1998) 15.

[97] The Public Ministry of Labor has also set up an Internet webpage and telephone hotline for denunciations of violations of child labor, slavery, discrimination, and occupational safety and health legislation. Regional Labor Prosecuting Offices also provide guidance to employers on the application of child labor laws and assist employers in correcting irregular situations. See *Activities for Eradication of Child Labor* (Brasilia: Public Ministry of Labor, May 1998) 9.

[98] Interview with officials and inspectors of the Child Labor Unit in Istanbul. *See also* interview with Murat Firat, Fisek Institute Representative, by U.S. Department of Labor official (May 6, 1998).

[99] Interview with officials and inspectors of the Child Labor Unit in Istanbul. *See also Draft IPEC Paper* at 4 and 9.

[100] *Draft IPEC Paper* at 9.

[101] Interview with Yanira Mayorga, International Relations Director, Ministry of Labor, by U.S. Department of Labor official (May 5, 1998).

- With support from ILO/IPEC, the **Tanzanian** Ministry of Labor and Youth Development has been training labor inspectors on child labor so that they can better integrate child labor inspections into their regular work. Inspectors are also implementing plans of action on hazardous child labor in selected worksites.[102]

This section has described a number of initiatives underway to strengthen child labor laws and improve enforcement strategies. While these initial efforts are commendable, the fact that large numbers of children still work under exploitative or hazardous conditions indicates that additional efforts are urgently needed. Child labor laws that are comprehensive in their scope and coverage have not yet been enacted in many countries. Current enforcement efforts are often poor at best. The following chapter discusses another strategy for eliminating child labor—universal primary education—that, combined with effective child labor law and enforcement, could have a significant impact on eliminating the exploitation of children.

---

[102] *IPEC Action in Tanzania* (Geneva: ILO/IPEC, 1997) 8.

IV. Access to Primary Education

A. Overview

This chapter discusses issues relating to access to primary education in the 16 countries studied in this report. Section B of this chapter describes the education laws and policies of the 16 countries studied in this report. Section C presents the most recent education data available for these countries, including data on educational attainment and government expenditures on education. Factors limiting access to primary education are discussed in section D. Finally, section E outlines a number of government initiatives intended to overcome limitations to access and increase primary school accessibility, enrollment, retention, and completion.

Universal primary education is widely recognized as one of the most effective instruments for combating child labor. It is believed that no country can successfully eliminate child labor without first enacting and implementing compulsory education legislation.[1] Schooling removes children from the workforce and provides them with an alternative use of their time.[2] Quality basic education, particularly at the primary level, not only improves the lives of children and their families, but contributes to the future economic growth and development of a country.[3] Despite the benefits of education, about 20 percent—or 145 million—of the world's children six to 11 years old (85 million girls and 60 million boys) are out of school.[4] Most of these children are thought to be working.[5]

There are a number of reasons why children work instead of attending school. In many countries, primary education is neither compulsory nor free, and schools are not available to all children. When schools are available, the quality of education offered is frequently poor, and many children and their families view the content as irrelevant to their lives. In cases where working children contribute to family income, parents may believe that the opportunity cost of sending their children to school is simply too high.[6] The reluctance of parents to send their children to school is exacerbated by the direct and indirect costs of education, such as fees, supplies, books, uniforms, meals, and transportation. To be effective in eliminating child labor, education must be useful, accessible, and affordable.

---

[1] A. Bequele and W.E. Myers, *First Things First in Child Labour: Eliminating Work Detrimental to Children* (Geneva: ILO/UNICEF 1995) 123 [hereinafter *First Things First*].

[2] *Ibid.* at 121-122.

[3] *Strategies for Eliminating Child Labour: Prevention, Removal, and Rehabilitation* (Oslo: International Conference on Child Labor, ILO/UNICEF, October 1997) 12. *See* generally Ziv Griliches, "Education, Human Capital, and Growth: A Personal Perspective," *Journal of Labor Economics* (Chicago: The University of Chicago Press and Economics Research Center/NORC, Vol. 15, No. 1, Part 2, January 1997) s330-s344.

[4] An additional 283 million children aged 12 to 17 (44 percent of children in this age group) are out of school. *World Education Report, 1995* (Paris: UNESCO, 1995) 18-19. *See also The State of the World's Children 1999* (New York: UNICEF, 1998) 7.

[5] *First Things First* at 125.

[6] *See* "Action against Child Labour through Education and Training" fact sheet (Geneva: ILO/IPEC, July 1997) 1 [hereinafter Action against Child Labour fact sheet].

B. Education Laws and Policies

This section describes the education laws and policies of the 16 countries studied in this report and their consistency with the child labor laws discussed in Chapter III. Education and child labor laws should not only reinforce but also complement one other. Education laws and policies can reinforce child labor laws by keeping children in schools and away from the work place. Child labor laws, in turn, can be a useful tool for retaining children in school, helping governments achieve their universal basic education objectives.[7] International standards on child labor have made this link by encouraging countries to make admission into the workforce conditional on completion of compulsory education. ILO Convention No. 138 establishes the minimum age for employment at not less than the age for completing compulsory schooling and in no event less than 15 years of age.

Twelve of the 16 countries studied have national laws that make primary education compulsory: **Bangladesh**, **Brazil**, **Egypt**, **Guatemala**, **Mexico**, **Nicaragua**, **Peru**, the **Philippines**, **South Africa**, **Tanzania**, **Thailand,** and **Turkey**.[8] A number of these countries, including **Egypt**, **South Africa**, and **Turkey**, have recently passed laws extending their years of compulsory education. The number of years of schooling required varies from country to country (*see* Table IV-1).

- **Peru's** constitution calls for 11 years of compulsory schooling (including preprimary, primary, and secondary level education, through the tenth grade).[9] Children begin school at six years of age;[10] there is no minimum age for completion.[11]

- In **Guatemala**, Article 74 of the Constitution establishes that pre-primary, primary, and basic education should be compulsory and free (this includes school attendance through the ninth grade). Children start pre-primary school between the ages of five and six but they may not start the first

---

[7] *First Things First* at 120.

[8] All 16 countries visited have ratified the United Nations Convention on the Rights of the Child, thus committing themselves to making primary education compulsory, available, and free to all children.

[9] *Perú* (Cartagena: Sistema Regional de Información sobre Trabajo Infantil - ILO/IPEC, 1997) 22 [hereinafter *Perú*]; *Child Labour: Targeting the Intolerable* (Geneva: ILO, 1996) 41 [hereinafter *Targeting the Intolerable*]. *See also* telephone interview with Jose Pezo, Peruvian Ministry of Education, by U.S. Department of Labor official (August 20, 1998) [hereinafter Interview with Jose Pezo].

[10] Interview with Jose Pezo.

[11] *Implementation Report: Review of IPEC Experience 1995-97* (Geneva: ILO/IPEC, October 1997) 71 [hereinafter *IPEC Implementation Report*]. Theoretically, children should finish compulsory school by age 16, but on average, students are about two and a half years behind. *See* Francisco Verdera, *El trabajo infantil en el Perú - Diagnóstico y propuestas para una política nacional* (Lima: Institute of Peruvian Studies (IEP) and ILO, 1995) 23 [hereinafter *El trabajo infantil en el Perú*].

BEST COPY AVAILABLE

TABLE IV-1

Compulsory Education and Minimum Working Age

Country	National Compulsory Education		Minimum Work Age
	Ages	Number of Years	
Bangladesh	6-10	5	12-15[c,d]
Brazil	7-14	8	14
Egypt	6-13	8	14
Guatemala	6-15	10	14
India	—[a]	—[a]	14[d]
Kenya	—	—	16[e]
Mexico	6-14	9	14
Nepal	—	—	14[d]
Nicaragua	7-12	6	14
Pakistan	—[b]	—[b]	14[d]
Peru	6-16	11	12-16[c]
Philippines	6-11	6	15
South Africa	7-15	9	15
Tanzania	7-13	7	12-15[c]
Thailand	6-11	6	15
Turkey	6-13	8	15

Sources: Column 1: *See* text in Chapter IV; Column 2: *See* Chapter III.

Notes: – No national compulsory education.

[a] Fourteen of India's 24 states and four Union territories have compulsory education laws.

[b] The governments of the North West Frontier and Punjab provinces have enacted compulsory education legislation.

[c] Varies by sector or activity.

[d] Applies only to certain occupations.

[e] Applies only to industrial undertakings.

grade of primary school until the age of seven. Children may complete their compulsory education between the ages of 15 and 18.[12]

---

[12] The Ministry of Education has established that compulsory education consists of one year of pre- primary education, six years of primary (first through sixth grade), and three years of basic education (seventh through ninth grade). Article 39 of the Childhood and Youth Code requires children to remain in school until they complete their secondary education (through grade 12 or 13 depending on the occupation to be pursued). The Childhood and Youth Code, however, has been suspended until the year 2000. *See* Article 74 of the Constitution of Guatemala and Article 39 of the Childhood and Youth Code. *See also* faxes and telephone interviews with Maria Ester Ortega de Morales, Ministry of Education, by U.S. Department of Labor official (September 30, 1998 and October 8, 1998).

BEST COPY AVAILABLE

- **Mexico**[13] and **South Africa**[14] require nine years of education (six years of primary and three years of secondary schooling).
- **Brazil**,[15] **Egypt**,[16] and **Turkey**[17] require children to attend school for eight years, or through the eighth grade.
- **Tanzania** requires children to attend school through the seventh grade.[18]
- In **Nicaragua**,[19] the **Philippines**,[20] and **Thailand,**[21] six years of primary education are compulsory.
- **Bangladesh** requires children to attend primary school for five years, from ages six to 10.[22]

In **Kenya,**[23] **India,**[24] **Nepal,**[25] and **Pakistan,**[26] there are no national laws establishing mandatory schooling. However, in **India** and **Pakistan**, some state or provincial governments have enacted legislation that makes primary education compulsory. In **India**, 14 of the 24 states and four Union territories have compulsory education laws.[27] In **Pakistan**, the governments of the North West Frontier and Punjab provinces have enacted compulsory education legislation.[28] In **Nepal**, while there is no compulsory schooling, primary education is free for all children between the ages of six and 12.[29] Education is not free in **Kenya**, **India**, or **Pakistan**.

---

[13] *Targeting the Intolerable* at 41. *See also Country Reports on Human Rights Practices for 1997* (Washington, D.C.: U.S. Department of State, 1998) 585 [hereinafter *Country Reports 1997*].

[14] South Africa Schools Act of January 1, 1997. *See South Africa Yearbook - 1997* (Pretoria: South African Communication Service, 1997) 331.

[15] *Basic Education in Brazil: 1991-1997* (Brasilia: Ministry of Education and Sports, 1997) 9 [hereinafter *Basic Education in Brazil*].

[16] Article 59 of Child Law 12 of 1996. *UNESCO Statistical Yearbook 1997* (Paris: UNESCO, 1997) Table 3.1 at 3-7 [hereinafter *UNESCO Statistical Yearbook 1997*]. *See also* Nadia Ramsis Farah, *Child Labour in Egypt within the context of the CRC* (Cairo: Cairo Center for Development Studies/UNICEF, June 1997) 27 [hereinafter *Child Labour in Egypt*].

[17] Law No. 4306, passed on August 16, 1997. *See* interview with Esat Sagcan, Director General, General Directorate of Apprenticeship and Non-Formal Education, Ministry of National Education, by U.S. Department of Labor official (April 28, 1998). *See also* correspondence from Aysen Kulakoglu, Economic Counselor, Turkish Embassy in Washington, D.C. (August 26, 1998). Turkish families have the option of enrolling their children in school at either age six or age seven. *See* U.S. Embassy-Ankara fax (August 28, 1998).

[18] Education Act of 1978. *See Report of the Commission on the Law Relating to Children in Tanzania* (Dar es Salaam: Law Reform Commission, undated) 45 [hereinafter *Law Relating to Children in Tanzania*]. *See also* U.S. Embassy-Dar es Salaam fax (August 27, 1998).

[19] *Country Reports 1997* at 599. *See also Primary Education and Training Program USAID/Nicaragua*, (Managua: USAID/Nicaragua, April 28, 1998) 2.

[20] *Facts & Figures on Philippine Education* (Pasig City: Department of Education, Culture and Sports, 1997) 11 [hereinafter *Facts & Figures*]. *See also* Feny de los Angeles-Bautista and Joanna C. Arriola, *To Learn and to Earn Education and Child Labor in the Philippines*, Working Paper Series on Child Labor (Manila: ILO/IPEC, December 1995) 2 [hereinafter *To Learn and to Earn*].

[21] The Thai Ministry of Education has been pushing for an increase in the number of years of compulsory education since September 1995. A proposed education bill would increase compulsory schooling from six to nine years. *Thailand Country Study towards a Best Practice Guide on Sustainable Action against Child Labor* (Bangkok: ILO/IPEC, January 1998) 33, 38.

[22] *IPEC Implementation Report* at 28. *See also UNESCO Statistical Yearbook 1998* (Paris: UNESCO, 1998) Table 3.1 at 3-10.

[23] Benson Oyuga, Collette Suda, and Afia Mugambi, *A Study of Action against Child Labour in Kenya: Towards a Best Practice Guide on Sustainable Action Against Child Labour for Policy Makers* (Nairobi: ILO/IPEC, 1997) 101 [hereinafter *Action against Child Labour in Kenya*].

[24] *Public Hearings on International Child Labor* (Washington, D.C.: U.S. Department of Labor, February 13, 1998), submission by the Government of India [hereinafter Public Hearings India submission].

[25] *Country Reports 1997* at 1669-70.

[26] *Country Reports 1997* at 1690.

Nine of the 12 countries with compulsory education laws have provisions in those laws that make education essentially free in public schools; that is, students are not charged school tuition fees: **Brazil**, **Egypt**,[30] **Mexico**, **Nicaragua**, **Peru**, the **Philippines, South Africa**, **Thailand**, and **Turkey**. The other three countries with compulsory education laws (**Bangladesh**, **Guatemala**, and **Tanzania**) have no provisions making education free; parents may be required either to pay school tuition fees or to pay partially for the cost of their children's education.

1. Education and Child Labor Laws

Only three of the 16 countries (**Brazil**, **Mexico,** and **South Africa**) have complementary education and child labor laws, i.e., laws where completion of compulsory schooling is harmonized with the minimum legal working age (*see* Table IV-1).

- In **Brazil** and **Mexico**, children complete compulsory education at age 14, coinciding with a minimum employment age of 14 years.

- In **South Africa**, children are permitted to work at age 15, the same age at which compulsory education is supposed to be completed.

Nine countries have education and child labor laws that are inconsistent with each other:

- Three countries (**Guatemala**, **Peru**, and **Tanzania**) have a minimum work age that is lower than the age for completing compulsory education. This gap may encourage children who have reached the minimum working age—and not yet finished compulsory schooling—to join the workforce, neglecting their studies or dropping out of school altogether.

- Six countries (**Bangladesh**, **Egypt**, **Nicaragua**, the **Philippines**, **Thailand**, and **Turkey)** have set the compulsory education age lower than the minimum age for employment. In these countries, children who have completed their compulsory education and are unable to continue their studies must either remain unemployed until they reach the working age or work illegally, thereby making illegal child labor more commonplace and acceptable.

---

[27] These states and union territories are Assam, Andhra Pradesh, Bihar, Delhi, Gujarat, Haryana, Jammu and Kashmir, Karnataka, Madhya Pradesh, Maharashtra, Punjab, Rajasthan, Tamil Nadu, Kerala, West Bengal, Chandigarh, Pondicherry, and the Andaman and Nicobar Islands. *See* Public Hearings India submission and *UNESCO Statistical Yearbook 1997*, Table 3.1 at 3-10 and 3-14.

[28] *IPEC Implementation Report* at 35.

[29] *Country Reports 1997* at 1669-70.

[30] According to UNICEF, the Egyptian Ministry of Education is imposing school fees as high as 15.85 pounds (US$ 4.66) for primary education, regardless of the Constitutional mandate that makes education free for all children. *See Child Labour in Egypt* at 27.

C. Education Data

Despite the compulsory education laws and policies outlined in the previous section, the provision of universal primary education remains a major challenge for many of the countries studied in this report. This section presents the most current data available on enrollment, attendance, and retention of children in primary school. It also compares government expenditures on education.

While educational statistics in many countries suffer from significant weaknesses, the data described in this section represent the best measures available for analyzing the effectiveness of national education systems in providing universal primary education. The information presented here is intended to establish a baseline for future analysis.

The following sections provide detailed data on educational attainment and government expenditure on education. Much of the information discussed in these sections, including Tables IV-2 and IV-3 below, was obtained from UNESCO, UNICEF, and the World Bank, and supplemented by data collected during site visits to the 16 countries studied in this report.

1. Educational Attainment

This section presents data on educational attainment, including primary school enrollment, attendance, and completion rates. While there are several ways to measure a country's success at providing education at the primary level, the most common are primary school enrollment and attendance ratios. Net primary school enrollment ratios describe the percentage of primary school-age children who are registered in school. Primary school attendance ratios estimate the percentage of primary school-age children that are actually attending school.

When reviewing educational attainment data, it is important to note that both enrollment and attendance estimates can suffer from serious shortcomings in terms of accuracy and comparability between countries.[41] It should also be noted that neither measure addresses the issue of education quality and its effect on school enrollment, attendance, and the benefit children derive from their schooling.

---

[41] Collection methods and definitions can vary significantly between countries, making comparisons difficult. Also, since the length of primary school differs significantly among countries, those countries with less years of primary school generally have higher enrollment ratios (in large part because older children tend to have higher drop out rates), while those with more years will tend to have lower enrollment rates. For an in-depth discussion of the problems and weaknesses of educational data, *see* Jere R. Behrman and Mark R. Rosenzweig, "Caveat Emptor: Cross-Country Data on Education and the Labor Force," *Journal of Development Economics*, Vol. 44 (1994) 147-171; and *World Development Indicators 1998* (Washington, D.C.: World Bank, 1998) 79 [hereinafter *World Development Indicators 1998*].

TABLE IV-2

Educational Attainment Indicators

Country	*Net Primary School Enrollment Ratio (1994-96)*[a]	*Primary School Attendance Ratio (1992-97)*[a]	*Percentage of Primary School Children Reaching Fifth Grade (1990-95)*[a]
Bangladesh	...	76	61[d]
Brazil	90	85[c]	71
Egypt	80	78	98
Guatemala	...	58	...
India	...	68	62
Kenya	...	84	68
Mexico	100	...	84
Nepal	68[b]	70	52
Nicaragua	83	...	54
Pakistan	...	66	48
Peru	91	87	...
Philippines	100	89	70
South Africa	96	...	65
Tanzania	48	64	83
Thailand	...	...	88
Turkey	96	73	89

Sources: Column 1: *UNESCO Statistical Yearbook 1997* (Paris: UNESCO, 1997); *UNESCO Statistical Yearbook 1998* (Paris: UNESCO, 1998); [b]*Education Statistics of Nepal 1995* (Kathmandu: Ministry of Education, 1997) Table 1, 22;
Column 2: *The State of the World's Children 1999* (New York: UNICEF, 1998); [c]*Brasil: Pesquisa Nacional por Amostra de Domicilios - 1995* (Rio de Janeiro: Fundação Instituto de Geografia e Estatistica-IBGE, 1995) Tables 3.4 and 1.1;
Column 3: *The State of the World's Children 1999* (New York: UNICEF, 1998); [d]*Universal Primary Education: A Review* (Dhaka: Primary & Mass Education Division, Government of the People's Republic of Bangladesh, 1996) 6.

Notes: [a] Each estimate refers to a specific year within the time range indicated.
... Data not available.

Another important indication of a school system's ability to attract and retain students is its student retention rate (or completion rate), which gives the percentage of enrolled children who reach a certain grade level.[52]

Table IV-2 presents the most recent data available on primary school enrollment, attendance, and retention rates for the 16 countries studied in this report. As the table illustrates, for some countries the goal of universal primary education still remains distant.

---

[52] Because the number of years of primary school varies among countries, fourth or fifth grade is often used as a general measure of primary school retention.

- **Guatemala, India,**[33] **Nepal, Pakistan,**[34] and **Tanzania** have low primary school enrollment or attendance ratios, ranging from 70 percent in **Nepal** to 48 percent in **Tanzania**.[35]

Primary school enrollment ratios appear to be high in several of the countries studied for this report. **Brazil, Mexico, Peru,** the **Philippines, South Africa**, and **Turkey** all have primary school enrollment rates of 90 percent or more. In some of these countries, however, many children who are enrolled in school are not actually attending.

- For instance, while **Mexico** and the **Philippines** both report net primary school enrollment rates of 100 percent, in **Mexico**, 84 percent of enrolled primary school children do not reach fifth grade, and some 1.5 to two million children between the ages of six and 14 either are not regularly attending school or have dropped out.[36] In the **Philippines**, only 70 percent of enrolled primary school children reach fifth grade, and a 1995 attendance survey found only 89 percent of primary school-age children actually attending school.[37]

- In **Brazil**, although the primary school enrollment ratio was 90 percent in 1994, only 71 percent of enrolled primary school children reach fifth grade, and a 1995 household survey found approximately five million children ages five to 14 years old (or 15 percent of the children in the age group) not attending school.[38]

- Although **Turkey** had a net primary school enrollment ratio of 96 percent in 1994, only 89 percent of enrolled primary school children reach fifth grade, and a 1993 survey found that only 73 percent of children six to 10 years old were attending school.[39]

---

[33] In India, the 1991 census found over 105 million children ages five to 14 years old out of school. S. Sinha, *Collection and Dissemination of Data on Child Labour in Asia* [DRAFT] (Bangkok: ILO/IPEC, 1998) Table 1, 107.

[34] As many as 11.2 million Pakistani children five- to nine-years old were not in school in 1996. *State of Human Rights in 1996* (Lahore: Human Rights Commission of Pakistan, 1996) 169 [hereinafter *Human Rights in Pakistan*].

[35] Contrary to other countries, the attendance ratio (64 percent) in Tanzania is higher than the enrollment ratio (48 percent). This discrepancy stems from the fact that the reported attendance ratio does not include children in the three highest years of primary school; and, therefore, likely overestimates the percentage of all primary school-age children attending school. *See The State of the World's Children 1999* (New York: UNICEF, 1998) [hereinafter *The State of the World's Children 1999*].

[36] Interview with Alejandro de la Canal, Director General of Planning, Programming, and Budget, Secretariat of Public Education, by U.S. Department of Labor official (April 21, 1998) [hereinafter Interview with Alejandro de la Canal].

[37] Based on a 1995 Multiple Indicator Cluster Survey (MICS) on children seven to 12 years old. *See The State of the World's Children 1999*.

[38] Calculated from 1995 national household survey as reported in *Brasil: Pesquisa Nacional por Amostra de Domicilios—1995* (Rio de Janeiro: Fundação Instituto de Geografia e Estatistica—IBGE, 1995) Tables 3.4 and 1.1.

[39] *UNESCO Statistical Yearbook 1998*, Table 3.2 at 3-58; and *The State of the World's Children 1999*.

- In **Peru**, more than 200,000 children on average drop out of primary school every year.[40]

In some of the countries studied, a large percentage of school children do not complete their primary education.

- In **Nepal, Nicaragua** and **Pakistan**, about half of all enrolled primary school children leave school before the fifth grade.[41]
- In **Guatemala,** out of every 100 children enrolled, only 30 complete primary school.[42]
- In **Bangladesh**, 61 percent of children completed primary school in 1995, up from 20 percent in 1980.[43]

2. Expenditures on Education

This section uses government expenditures on education as a measure of a country's commitment to achieving universal primary education. While spending levels may have little or no connection to a country's ability to attract, retain, and educate school age children, they do provide an indication of a country's relative emphasis on education as compared to other national priorities.

National expenditure on education is analyzed both as a percentage of a country's gross national product and as a percentage of total government expenditures.[44] An additional measure, the percentage of educational expenditures devoted to primary education, is used as an indication of the priority a country places on providing universal primary education.

Table IV-3 outlines the most recent indicators available on educational expenditures and shows the different levels of financial resources devoted to education among the countries studied.[45]

---

[40] Walter Alarcón Glasinovich, Mauricio García Moreno, Irene Rizzini, María Cristina Salazar, Catalina Turbay, and Carlos Antonio Rodríguez, *Mejores escuelas: menos trabajo infantil - trabajo infanto-juvenil y educación en Brasil, Colombia, Guatemala, Ecuador y Peru* (Florence: International Child Development Centre; Bogota: UNICEF Regional Office for Latin America and the Caribbean, 1996) 301 [hereinafter *Mejores escuelas*].

[41] *The State of the World's Children 1999* at 108.

[42] *Desarrollo Social y Construcción de la Paz: Plan de Acción 1996-2000* (Guatemala: Secretaria General de Planificación, November 1996) 42-43 [hereinafter *Desarrollo Social y Construcción de la Paz*].

[43] *Universal Primary Education: A Review* (Dhaka: Primary & Mass Education Division, Government of the People's Republic of Bangladesh, 1996) 6.

[44] Educational financial data may vary based on definitions and calculation methods used by individual countries. In general, figures refer only to money spent on public education and certain subsidies devoted to private schools and do not include money spent by private and religious schools, which could account for a large proportion of expenditures in certain developing countries. For a discussion on the characteristics and limitations of educational financial data, *see World Development Indicators 1998* at 75.

[45] Unless otherwise noted, all data described in this section are reported from national governments as published in *UNESCO Statistical Yearbook 1998*, Tables 4.1 and 4.2.

TABLE IV 3

Educational Financial Indicators

Country	Public expenditures on education as a percentage of GNP (1993-97)[a]	Education spending as a percentage of total government expenditures (1990-97)[a]	Primary school spending as a percentage of total public education expenditures (1993-97)[a]
Bangladesh	2.9	9	45
Brazil	5.5	15[3]	50
Egypt	4.8	15	67
Guatemala	1.7	18	56
India	3.4	12	40
Kenya	6.6	17	59
Mexico	4.9	23	41
Nepal	3.1	14	49
Nicaragua	3.6	12	66
Pakistan	3.0	8	48
Peru	2.9	19	18
Philippines[1]	3.1	15	48
South Africa	7.9	24	42
Tanzania	5.0[2]	11	42[b]
Thailand	4.1	20	50
Turkey	2.2	15	43

Sources: *UNESCO Statistical Yearbook 1997* (Paris: UNESCO, 1997); *UNESCO Statistical Yearbook 1998* (Paris: UNESCO, publication pending); [1] *Facts & Figures on Philippine Education* (Pasig City: Department of Education, Culture and Sports, February 1997) 29-30; [2] *Human Development Report 1997* (New York: UNDP, 1997); [3] Electronic correspondence from Marcos Vinicius P. Gama, First Counselor, Brazilian Embassy Washington, D.C., to U.S. Department of Labor official (September 10, 1998).

Notes: [a] Each estimate refers to the most recent available estimate within the time range indicated.
[b] Estimate for 1989.

- **Brazil, Kenya, South Africa**, and **Tanzania** all spend five percent or more of their GNP on education. **Guatemala** spends the least, 1.7 percent.

- **Mexico, South Africa,** and **Thailand** devote the largest percentage of government expenditures to education, each dedicating 20 percent or more. By comparison, **Bangladesh** and **Pakistan** devote the lowest percentage, nine and eight percent respectively.

- **Egypt** and **Nicaragua** devote the largest percentage of education expenditures to the primary level (67 and 66 percent respectively), while **Peru** allocates the least of the countries studied with 18 percent.

In many of the countries visited, expenditures on education appear to have either increased or remained stable in recent years. In some countries, however, significant additional resources have been allocated to education spending.

- In **Guatemala**, education spending as a percentage of government expenditures increased from about 12 percent in 1992 to 18 percent in 1995. The percentage of education money spent at the primary level has also risen dramatically, from 30 percent in 1990 to 56 percent in 1995.[46]

- In 1995, about 15 percent of **Brazil's** budget was dedicated to education, with 50 percent of that allocated specifically to the primary level.[47] In 1997, the federal government announced the allocation of an additional 500 million *reais* (US$ 448 million) to basic education through the Every Child in School Program (*Programa Toda Criança na Escola*).[48]

- The Government of **Tanzania** has increased the allocation within its budget for social services (including education and culture) from 30 percent in the 1996-97 budget to 48 percent in the 1997-98 budget.[49]

- Since 1992, the **Philippines'** education budget has risen from 11 percent of the national government budget to 15 percent in 1997. The public elementary school budget also rose from 6.5 percent of the budget to 7.7 percent over the same period.[50]

- In the last decade, **Nicaragua** has more than doubled the percentage of its public education budget allocated to primary schools, from 31 percent in 1989 to 66 percent in 1996.[51]

A decrease in education spending as either a percentage of GNP or total government expenditures was apparent in only a few countries.

---

[46] *Ibid.* at Table 4.1, 4-8; Table 4.2, 4-23.

[47] Electronic correspondence from Marcos Vinicius P. Gama, First Counselor, Brazilian Embassy- Washington, D.C., to U.S. Department of Labor official (September 10, 1998); *UNESCO Statistical Yearbook 1998*, Table 4.2 at 4-24.

[48] The additional resources for this project came from the privatization of a cellular telephone company. "O principal objectivo é tirar das ruas os menores carentes," *CIDADANIA* (Brasília: Secretaria de Assistência Social, no. 1, January-March 1998) 17.

[49] *IPEC Implementation Report* at 45.

[50] *Facts & Figures* at 29-30. However, some researchers have noted that "real per capita spending is not commensurate to the demands of a responsive public education system, especially in light of the continuing growth in the child and youth population. Decades of under investment in public education had taken its toll on an already burdened system. The constantly growing needs of the public educational system merit a significantly larger investment in education." *See To Learn and to Earn* at 5.

[51] *UNESCO Statistical Yearbook 1998*, Table 4.2 at 4-23.

BEST COPY AVAILABLE

- In **India**, public spending on education decreased from 3.9 percent of GNP in 1990 to 3.4 percent in 1995.[52]

- Although the percentage of the **Kenyan** government budget devoted to education has remained about the same since 1990, education spending as a percentage of GNP has decreased, from 7.5 percent in 1990 to 6.6 percent in 1996.[53]

- The percentage of GNP spent on education in **Turkey** decreased from 3.4 in 1994 to 2.2 in 1995.[54]

As noted earlier in this section, the quality of educational statistics in many countries have significant shortcomings. These shortcomings could be overcome by a coordinated effort to standardize reporting and collection methods worldwide. Education data presented in this section could form the basis for future study of countries' educational attainment and commitment to primary universal education. To further analyze the availability of primary education in the countries studied in this report, the following two sections discuss the scope and coverage of education laws and policies as well as factors limiting children's access to and attendance of primary education.

D. Factors Limiting Attainment of Primary Education

Although many of the countries visited for this report have enacted education legislation, significant impediments to achieving universal access to primary education remain. This section discusses some of the factors that prevent children's access to and/or successful completion of primary schooling. Work is one factor that can constitute a major impediment to children's attendance and successful completion of primary school. Working children have low enrollment and high absenteeism and dropout rates. This may be attributable to fatigue from long hours of labor, injuries and illnesses, and work schedules that conflict with school hours.

Another major obstacle is inadequate educational infrastructure and services. Schools may not be available or they may be inadequate. When schools do exist, long distances, poor roads, and lack of transportation may render them inaccessible. Teachers may be underpaid, may lack the necessary training or qualifications, and in some cases may not even show up for classes.[55] In addition, poor families may perceive that what their children learn at school does not provide them with useful skills.[56]

---

[52] *Ibid.* at Table 4.1, 4-11.

[53] *Ibid.* at 4-5.

[54] *Ibid.* at 4-14.

[55] *Economic Incentives for Children and Families to Eliminate or Reduce Child Labor* (Geneva: ILO, May 1996) 9 [hereinafter *Economic Incentive*].

[56] Action against Child Labor fact sheet at 1.

In many countries, direct and indirect costs of education also represent significant barriers.[57] School fees can be high, leading poor and marginalized families not to send their children to school. Even if free education is provided, in many cases the costs of school supplies, books, uniforms, meals, and transportation may be prohibitive to poor families. The opportunity costs of education—in the form of a child's foregone earnings and on-the-job work experience—may be a further factor in a family's decision not to send children to school.

Finally, access to education is often not equitable. Children in rural areas and those belonging to marginalized groups are frequently more affected by a lack of adequate educational infrastructure. The following sections describe in greater detail the barriers created by the premature entry of children into the workforce, the lack of educational infrastructure and services, and the impediments faced by children in rural areas and those in certain gender and ethnic groups.

1. Work and Schooling

Work is often a major barrier to a child's pursuit of an education. In many cases, child workers do not enroll in school or drop out before completion. Some child laborers drop out because extreme fatigue prevents them from completing their homework or attending classes. Falling behind in school work, they may become frustrated and experience feelings of inadequacy.[58]

There appears to be a strong relationship between child labor and absenteeism or irregular school attendance. In many of the countries studied for this report, high absenteeism and dropping out are particularly chronic among working children in rural areas, where barriers to access and irrelevance of education create further disincentives to school attendance:[59]

- In **Brazil**, 13 percent (or 2.3 million) of children aged 10 to 14 years were found to be both working and attending school in 1995. About four percent (or 721,113 children) in the same age group worked full time and did not attend school.[60] In some rural areas, the percentage of children working full time was even higher. A 1997 survey conducted in the rural citrus-producing region in the State of Sergipe found that about 33 percent of working children (1,649 children of more than 5,000) were not attending school.[61]

---

[57] *Targeting the Intolerable* at 38.

[58] For further analysis of why working children drop out of school, *see Child Labour Surveys: Results of Methodological Surveys in Four Countries 1992-93* (Geneva: ILO/IPEC, 1996) 57-61 [hereinafter *Child Labour Surveys*].

[59] The Philippines is an exception: it was found that rural working children had higher school attendance (67 percent) than urban working children (33 percent). *See* "Education of the Working Children: Are Working Children Going to School?" fact sheet from *Survey of Children 5-17 Years Old: July 1995* (Manila: National Statistics Office, July 1995) 2 [hereinafter *Survey of Children 5-17 Years Old*].

[60] *Indicadores sobre crianças e adolescentes: Brasil, 1991-1996* (Brasilia: Fundação Instituto de Geografia e Estatistica (IBGE), UNICEF, 1997) 136, 138.

[61] *Plano estratégico de combate a exploração do trabalho infantil na região citrícola* (Aracaju: Governo de Sergipe, Secretaria do Estado da Ação Social e do Trabalho, October 1997) 47.

About 20 percent of working children (aged 10 to 14) were illiterate, compared with only eight percent of nonworking children in the same age group.[62]

- In **Mexico**, a 1996 study found that almost 19 percent of Mexican children from 12 to 14 years of age were working and not attending school.[63] School attendance among this age group was higher in urban areas than in rural areas—87.3 percent as compared to 64.7 percent.[64]

- In **Peru**, only a third of all working children and adolescents aged six to 17 years attended school in 1993. By contrast, 85 percent of nonworking children in this age group attended school.[65] Working children's attendance rates were substantially higher in urban areas than in rural—only one of every five working children in rural areas attended school.[66] Dropout rates among working children six to 14 years old were 47 percent, compared to eight percent for nonworking children.[67]

- In **South Africa**, 17 percent of 14-year-old child laborers in farming areas have no school credentials, compared to 10 percent for children who are not working.[68] According to a recent report on adult farm workers, their children's schools are overcrowded, and subject choices are limited and irrelevant. In addition, instruction and texts are in the Afrikaans language, a language unfamiliar to many of those surveyed.[69]

2. Lack of Educational Infrastructure and Services

Overcrowded classrooms, long distances to schools, high student-to-teacher ratios, lack of school supplies such as desks, chairs, chalk, and blackboards, and lack of rest rooms (particularly for girls) can all limit access to primary education. In many of the countries studied for this report, a lack of basic educational infrastructure was cited as a barrier to primary school attendance and student retention:

- In **Brazil**, for example, it was noted that school facilities are insufficient or inadequate to accommodate the demand for primary education; this is particularly true in most rural areas, where children allegedly attend classes in dilapidated facilities.[70] According to some researchers, the quality of education is very poor. Teachers are often too few, underpaid, and poorly trained, and schools lack equipment and the ability to provide children with meals and transportation.[71]

---

[62] *Child Labor in Brazil* (Brasilia: Presidência da República, Câmara de Política Social, 1997) 75 [hereinafter *Child Labor in Brazil*].

[63] *Infancia y adolescencia en México* at 65.

[64] *Ibid.* at 65.

[65] *Perú* at 31.

[66] *Mejores escuelas* at 305.

[67] "Especial - seguimiento a la convención de los derechos de la niña y el niño" in *Niñez y Adolescencia* (Lima: Grupo de Iniciativa Nacional por los Derechos del Niño - GIN, no. 2, August-October, 1997) 4.

[68] School qualification refers to the achievement of South African minimum educational standards. *See* Dawie Bosch and Adele Gordon, *Eliminating Child Labour in South African Commercial Agriculture: Education and Legal Action* (Geneva: ILO, 1996) 30.

[69] Industrial Health Research Group, *Project Report: Health and Safety of Workers on Western Cape Fruit Farms* (Cape Town: University of Cape Town, February 1998) 10. It appears that instruction in the Afrikaans language is still an obstacle to universal education in South Africa. *See* "Apartheid Still Rules in Rural Schools," *Weekly Mail & Guardian* (Johannesburg), February 2, 1996.

- In **Pakistan**, 70 percent of primary schools lack basic equipment and space. In many of the 6,500 schools of Punjab Province, children reportedly use rags brought from their homes to sit on the ground. In Sindh, about 1,100 schools have been forced to shut down for lack of teachers.[72]
- Schools for poor children in **Peru** are reported to be without cement floors, to have unfinished walls, and in many cases to lack bathrooms; school furniture is insufficient and worn, and blackboards are usually the sole teaching aid.[73]

3. Education in Rural Areas

In rural areas, universal education is often undermined by impediments to access and the low quality of available schooling. Rural areas tend to lack the educational infrastructure (including schools and teachers) generally available in urban areas. Children are less likely to enroll in school and more likely to drop out prior to completing their education. Parents from rural areas, particularly farming communities where children work in subsistence agriculture, are more apt to view formal education as irrelevant to their children's future.

- According to a 1993 study, 83 percent of rural **Peruvian** schools had no water, sewers, or electric lights.[74]
- Rural areas in **South Africa** lack adequate school facilities within a reasonable distance from children's homes and have a disproportionate number of schools deemed "not suitable for education" due to lack of water, electricity, sanitation, and/or safe structures.[75]

---

[70] Interview with Marcia Selalibera, Director of Foundation for the Social Promotion of Mato Grosso do Sul (PROMOSUL), by U.S. Department of Labor officials (May 12, 1998); Interview with Iracema Ramalho do Valle, Director of Sindicato dos Trabalhadores Rurais, by U.S. Department of Labor officials (May 12, 1998); Interview with Jose Sederino Belo, assistant to the Vice Mayor of Cabo de Santo Agostinho, by U.S. Department of Labor officials (May 18, 1998).

[71] Interview with Marta Silva Campos and Carola Carbajal, Instituto de Estudos Especiais da PUC/SP, by U.S. Department of Labor officials (May 8, 1998). *See also* interview with Ivanilda Ribeiro Alves, Executive Director, Social Assistance, by U.S. Department of Labor officials (May 12, 1998); and interview with Regina Covas, Ministry of Education and Sports, by U.S. Department of Labor officials (May 14, 1998).

[72] *Human Rights in Pakistan* at 15.

[73] *Mejores escuelas* at 295.

[74] *Ibid.*

[75] *See School Register of Needs Survey* (Pretoria: South Africa Department of Education, August 1997) 9. A total of 57,499 additional classrooms were needed in 1996 to accommodate all of South Africa's primary and secondary school students. *Ibid.*

- In rural areas of **Tanzania**, parents view the education provided in schools as irrelevant, providing their children with no useful skills for their future employment. Parents often prefer to keep children at home to train them in areas such as agriculture and cattle herding. The highest percentage of children who are not enrolled in or attending school come from the cattle-herding and plantation areas.[76]

Literacy rates provide an indication of the disparities between rural and urban education. In Guatemala, for example, about 35 percent of the total population is illiterate compared with 82 percent of the rural population.[77] In Pakistan, nearly 42 percent of urban residents are illiterate in comparison with 72 percent of rural residents.[78]

4. Gender and Ethnicity Issues

Gender and ethnicity are other factors that can limit access to primary education and affect completion rates. Girls face many obstacles in pursuing an education, including the traditional attitudes about female roles and a lack of female teachers. They are often expected make a critical contribution to household work and child care.[79] Unable to attend school because of low social status or domestic responsibilities, girls are frequently denied the advantages of an education.[80] Indeed, girls constitute two-thirds of all children not attending school.[81] In many of the countries studied in this report, girls receive less education than boys.

- In **Kenya**, while primary school enrollment is fairly gender-equitable—approximately 79 percent for boys and 76 percent for girls—completion rates are less so. Approximately 55 percent of Kenyan boys complete primary school, compared to only 35 percent of Kenyan girls.[82]

- In **Nepal**, girls account for only 39 out of every 100 children enrolled at the primary school level.[83]

- In **Tanzania**, cultural practices such as early marriage often prevent girls from completing primary education. Some girls are removed from school during puberty and kept at home awaiting early marriage. Also, many schools expel girls who become pregnant and refuse to readmit them after childbirth.[84]

---

[76] *Child Labor in Tanzania* (Geneva: ILO/IPEC, 1992) 16 [hereinafter *Child Labor in Tanzania*].

[77] *Desarrollo social y construcción de la paz* at 41.

[78] *Human Rights in Pakistan* at 169.

[79] *Economic Incentives* at 10.

[80] *The State of the World's Children 1997* (New York: UNICEF, 1997) 44-45.

[81] *Ibid.* at 52.

[82] *Action against Child Labour in Kenya* at 101.

[83] *State of the Rights Of The Child In Nepal 1998: Country Report Released by CWIN* (Kathmandu: Child Workers in Nepal Concerned Center, January 1998) 14 [hereinafter *Rights Of The Child In Nepal*].

[84] *Child Labor in Tanzania* at 15. *See also Country Reports 1997* at 352.

Ethnic issues also affect school enrollment and attendance. In the 16 countries which are the focus of this report, certain ethnic groups and lower castes often have less access to education. This may be attributed to discrimination, cultural beliefs about the importance or relevance of education, and the fact that some of these groups work and live in remote areas.

- In 1995, over 800,000 **Mexican** children from eight to 14 years of age, or almost six percent of children in this age group, did not know how to read or write.[85] In comparison, 22 percent of Mexican children of indigenous descent in the same age group did not know how to read or write.[86]

- In **Nepal**, literacy rates vary dramatically among ethnic groups, and in some places minorities and "untouchable" caste children are not permitted to attend the same schools as upper-caste children.[87] For example, in the Siraha District of Nepal, literacy rates range from 64 percent among the Tamangs, to about four percent among the Musahars, to zero among the Dom.[88] Discrimination is a major reason why lower- caste groups do not attend school.[89]

When gender and ethnicity issues are combined, the educational disparities are even greater. In **India,** for example, nearly all upper-caste Hindu children are enrolled in and attend school, but there is a strong tendency for girls of "backward" castes and tribes, low-caste Hindus, and Muslims not to attend school.[90]

E. Education Initiatives

This section describes education initiatives aimed at overcoming some of the impediments to educational attainment in order to increase primary school enrollment, retention, and completion rates. It focuses on educational efforts by governments—that, after all, have the principal responsibility for the formal, primary-level education of children. Initiatives described include efforts to improve primary school infrastructure and increase children's access to primary education through provision of free schooling, school meal programs, free transportation, flexible school hours, flexible locations, and economic incentives.

---

[85] In rural areas, the percentage of children in this age group not knowing how to read or write (almost 11 percent) was markedly higher than in urban areas (three percent). *Infancia y adolescencia en México* (Mexico City: Instituto Nacional de Estadistica, Geografia e Informática, 1998) 38, 40 [hereinafter *Infancia y adolescencia en México*].

[86] *Ibid.* at 51.

[87] *Rights of the Child in Nepal* at 18.

[88] The Tamang belong to the Vaishya caste group, which is the business caste. Musahar are largely landless agricultural laborers, and the Dom are street-sweepers and scavengers—both are considered part of the Dalit caste group (also known as "untouchables"). *See Invisible Children: Child Work in Asia and the Pacific* (Bangkok: Save the Children and Child Workers in Asia, 1997) 39. *See also* telephone interview with D.B. Tamang, Legal Assistant, Embassy of Nepal, by U.S. Department of Labor official (August 25, 1998).

[89] *Consideration of Reports submitted by States Parties under Article 44 of the Convention: United Nations Committee on the Rights of the Child,* CRC/C/3/Add. 34 (April 10, 1995) 53 [hereinafter *Nepal CRC*].

[90] *Child Labour Surveys* at 58.

1. Improvements in Educational Infrastructure and Services

As discussed previously, a lack of facilities, teachers, and materials often creates barriers to primary school enrollment, attendance, and completion. Some of the countries studied for this report have developed initiatives to make schools more accessible and improve the quality of primary education, especially in remote or rural areas.

Brazil

The **Brazilian** Ministry of Education and Sports has implemented a number of initiatives to increase primary school attendance and improve education quality. In 1997, the *Livro Didático* project invested 159 million *reais* (US$ 142.5 million) in the acquisition of books to be distributed in primary schools throughout Brazil. The program "*TV Escola*" provides training for primary school teachers in remote areas. More than 79 million *reais* (US$ 73.1 million) have been spent on this project, and about 50,000 schools have received technical kits that include satellite dishes, television sets, video cassettes, and tapes.[91] In addition, the Fund for the Development of Primary Education and Teacher Improvement was created to increase the extremely low wages paid to teachers.[92]

Municipal governments implementing special projects to prevent and eliminate child labor can also obtain federal funds to build and improve public schools and provide public transportation for students.[93] Since providing a place in school for every child in the nation has become a national priority, the federal government is facilitating the transfer of educational funds to state and municipal governments, which are responsible for providing the necessary resources (facilities and teachers) at the primary level.[94] Article 60 of Constitutional Amendment no. 14 requires states and municipalities to allocate at least 60 percent of their education spending to primary schooling.[95]

Egypt

In **Egypt**, the Ministry of Education has been building one-classroom schools at an accelerated pace to encourage working children and school dropouts in rural communities to attend school. About 8,500 new schools have been built in poor rural communities in the last five years. Training of teachers has also become a priority.[96]

---

[91] "O dereito a uma vida melhor para os pequenos Brasileiros" *CIDADANIA* (Brasilia: Secretaria de Assistência Social, no. 1, January-March 1998) 16 [hereinafter "O dereito"].

[92] *Child Labor in Brazil* at 48.

[93] *IPEC Implementation Report* at 4.

[94] *Child Labor in Brazil* at 49.

[95] *Basic Education in Brazil* at 44. The amendment, enacted on September 12, 1996, aims to assure the universalization of primary education and the payment of appropriate salaries to teachers.

[96] Interview with Hussein Kamel Bahaa El-Din, Minister of Education, by U.S. Department of Labor official (May 12, 1998) [hereinafter Interview with Hussein Kamel Bahaa El-Din].

BEST COPY AVAILABLE

Philippines

Based on official **Philippine** government data, it appears that school facilities in the Philippines are insufficient to cover the country's entire school-age population, a factor which contributes to low enrollment, particularly in areas with high child labor rates.[97] Since 1990, however, the Department of Education, Culture, and Sports (DECS) has been implementing the Multigrade Program in Philippine Education to increase the number of elementary and high schools in villages/precincts (*barangays*) where there is a need. Under the program, DECS organizes "incomplete elementary schools" (multigrade classes of 30 to 40 students under one teacher) in areas where monograde classes are not feasible owing to limited enrollment in certain grades or to classroom and teacher shortages.

In the school year 1995-96, DECS established an additional 900 elementary schools, finished 1,880 incomplete elementary schools, and established 52 public high schools in municipalities where there had been none.[98] According to DECS, five years ago about one- quarter of all *barangays* (12,000) were without primary schools; today, only one-eighth (6,000) are still without one.[99]

Turkey

The **Turkish** Ministry of Education has established a program that provides for eight years of compulsory schooling. During the current school year, approximately US$ 304 million were spent on the program.[100] Reportedly, there have been about 670 primary schools opened and 1,930 new teachers appointed throughout the country. Despite the increased spending, concerns continue to be raised about whether the current educational infrastructure will accommodate eight years of compulsory education. Many provinces and villages lack desks, chalk, blackboards, chairs, and even classrooms, schools, and teachers.[101]

2. Alternative Education for Working Children

A variety of programs provide alternative educational opportunities for working children, including back-to-school programs and flexible school schedules. A number of governments have implemented such programs to make schooling more accessible to working children and other disadvantaged groups.

---

[97] *Comprehensive Study on Child Labor in the Philippines* (Manila: Institute of Labor Studies, Monograph Series no. 1, 1994) 78-79.

[98] *Facts & Figures* at 18.

[99] Interview with Marcial Salvatierra, Assistant Secretary, Department of Education, Culture, and Sports, Pasig City, by U.S. Department of Labor official (April 29, 1998).

[100] "Students in the Southeast Face Bleak Educational Prospects," *Turkish Daily News*, April 27, 1998, A8. *See also* U.S. Embassy-Ankara fax (August 26, 1998).

[101] *Ibid.*

a. Back-to-School Programs

Some countries are experimenting with back-to-school programs encouraging working children and adolescents to attend or complete primary school and easing their transition from work to school. Some examples follow.

India

Andhra Pradesh, the state with the highest number of working children in **India**, is implementing a program to place working children in schools.[102] In April 1997, the Andhra Pradesh Social Welfare Department initiated a pilot back-to-school-program for all 23 districts in the state, wherein hostels operated by the department are converted into "camp schools" for two months each year. The program identifies and enrolls children who never enrolled in school or who have dropped out early. Special emphasis is placed on bonded children, children working as domestic servants, and children from lower castes and tribes or other socially disadvantaged backgrounds.[103] Each hostel has approximately 100 students and five teachers.[104] Children attend class for an average of six hours per day. Following classes, they participate in cultural activities, games, and athletic activities. In its initial phase in 1997, the program enrolled 37,000 children in schools; the Social Welfare Department plans to enroll 100,000 students each year in the future.[105] About 74 percent of the students enrolled in the camps were subsequently admitted to formal schools.[106]

Nicaragua

The **Nicaraguan** Ministry of Education has initiated an innovative education program called Extra Age (*Extra Edad*) to serve children and adolescents who are unable to complete their primary school education on the normal age and grade track. Classes are taught in modules to permit maximum attendance during off-work hours and eliminate the social stigma associated with older students attending classes with younger children. The Ministry of Education has conducted special training courses for the teachers in this program. In 1993, about 9,600 children between 10 and 15 years of age participated in the *Extra Edad* program.[107]

---

[102] An estimated 1.8 million working children (or about 13 percent of all child laborers in India, based on the 1981 census) live in Andhra Pradesh. 92 percent of these working children work in rural areas, and of these, 86 percent of the male child workers and 94 percent of the female child workers are illiterate. *See Back to School Programme—1998* [document on file] (Hyderabad: Social Welfare Department, Government of Andhra Pradesh, 1998) 1. About 20 percent of children in Andhra Pradesh work full time, while 60 percent of the children ages five to 14 never attend school. *See also Back to School Programme: An Evaluation* (Hyderabad: Centre for Public Policy Studies, undated) 1 [hereinafter *Back to School Programme*].

[103] Interview with S. Ray, Principal Secretary, Department of Social Welfare, Andhra Pradesh, by U.S. Department of Labor official (May 14, 1998). *See also Important Government Orders and Guide Lines on Back to School Programme during April 1997 and 1998* (Hyderabad: Commissioner of Social Welfare, Andhra Pradesh, undated) 2 [hereinafter *Important Government Orders and Guide Lines*].

[104] *Important Government Orders and Guide Lines* at 3 and 36. Teachers are paid 1,000 *rupees* (US$ 25.00) for the two-month duration of the camp.

[105] *Back to School Programme* at 1.

[106] *Ibid.* at 26, 32, and 40. An evaluation of the program at the conclusion of the first year found that 98.8 percent of the children attending rated the camps as "very good" or "good," and 88 percent of the parents thought the program was "very good and useful" to their children; 71 percent of teachers rated the program as "very successful" while 28 percent considered it "moderately successful."

Philippines

The **Philippine** Department of Education, Culture and Sports' Bureau of Non-Formal Education (BNFE) has conducted a child labor project since the late 1980s. The project has developed teaching modules for out-of-school working children; remedial instruction programs for in-school children; functional literacy, technical, and vocational skills training; and referrals to microcredit programs for parents of working children. It also attempts to reduce the number of dropouts and improve achievement in elementary schools by providing tutoring for dropouts and out-of-school youth so that they are able to obtain primary and secondary school equivalency.[108]

b. Flexible Schedules

Another strategy for increasing school enrollment and attendance is to make school schedules more flexible, allowing working children the opportunity to both work and study. A number of countries are currently implementing programs based on this approach. Some examples follow.

Guatemala

Since 1997, the Government of **Guatemala** has been implementing a number of programs to make school schedules more compatible with those of working children in rural areas. These programs are based on a student-oriented, flexible teaching structure that relies to a great extent on independent study outside the classroom.[109] One of the flexible school day programs enables primary school children who spend the early morning hours working on farms to begin school later in the day. The fewer hours spent by the students in the classroom are compensated for by more independent study at home. The program was initiated in Mayan communities in 1997 and is expected to be broadened to cover 80 percent of all primary schools in rural areas by the end of 1998.[110]

Another program targets children of families who migrate to harvest coffee and sugar. It provides for a flexible school year to enable children to resume their studies at their community-based school after the harvest without having to wait for the next school year to begin. This program also relies on independent study to help offset the fewer hours spent in the classroom by students. In those communities where a majority of the population migrates for coffee and sugar harvests, the Ministry of Education is considering changing the school calendar so that it will not interfere with harvesting and migration patterns, thereby increasing children's access to primary school.[111]

---

[107] *Plan de acción para disminuir la deserción y repitencia escolar de niños en circunstancias especialmente difíciles en los primeros grados de educación primaria* (Managua: Nicaraguan Ministry of Education, 1993) 3.

[108] *See Facts & Figures* at 19.

[109] Telephone interview with Maria Ester Ortega, Director of the National System for the Improvement of Human Resources and Educational Curriculum (SIMAC), Guatemalan Ministry of Education, by U.S. Department of Labor official (October 8, 1998).

[110] *Ibid.* Forty percent of public schools in eight provinces in Guatemala are participating in this pilot project.

Mexico

In **Mexico**, the Secretariat of Social Development's National Agricultural Day Laborers Program (PRONJAG) recently developed a program to provide increased access to basic education for migrant farm workers' children, many of whom also work in the fields. Children of migrant farm workers live away from their place of origin for months at a time during the regular school year. PRONJAG is designing a system of educational modules that will enable migrant children to complete a grade without attending the same school for an entire academic year. Under this program, children can enroll in a school in their home state and complete the school year in another state if their parents migrate for the agricultural season. The program will also tailor the school curriculum so that it offers skills and knowledge that are valuable to its target population.[112]

Peru

In **Peru**, a number of schools have established three shifts—morning, noon, and night—to allow working children to combine work and schooling.[113] The Ministry of Education has developed a flexible curriculum that allows teachers to give more attention to children who fall behind or miss classes because of work.[114] The new curriculum permits teachers to make instruction more relevant to children's needs and interests, in some cases applying what a child has learned at work and building upon it in school lessons. So far, this curriculum has been pilot-tested in 40 schools, serving 180 to 200 working children per school—about 8,000 children in total.[115]

Philippines

In Lapu-Lapu City, the regional office of the **Philippine** Department of Education, Culture, and Sports has developed a school-based work-study program directed at some 569 working children enrolled in the city's public elementary schools. These children are employed cutting and carrying Mactan stone or making firecrackers to supplement family income. Classroom instruction is provided in the morning, and the children report to work after lunch. The program seeks to move the children to less hazardous phases of production or to engage them in alternative forms of income generation. Children engaged in stonecutting have been introduced to the production of fashion accessories made of indigenous materials such as shells, stones, and twine. Children engaged in the production of firecrackers have been removed from the more dangerous activities, such as mixing chemicals and filling shells with gunpowder, to activities such as folding paper, and rolling, wrapping, and pasting shells. The production of firecrackers has also been moved closer to schools so that it could be monitored. The project has reportedly reduced occupational risks, raised income (by increasing productivity), and lowered school dropout rates among the city's working children.[116]

---

[111] *Ibid.*

[112] PRONJAG is an interinstitutional program focused on providing basic services to migrant farm workers and their families in the areas of health, education, food and lodging, employment training, and civil, labor, and human rights. The educational module program is being implemented in cooperation with the Secretariat of Education and Council for Educational Development. This year, PRONJAG is conducting a census in Sonora, Sinaloa, Baja California, and Oaxaca to determine how many children are affected and where they go during the growing season. This information will be used to develop a tracking system. *See* Interview with Lourdes Sánchez Muñohierro, National Program for Migrant Farm workers, Secretariat of Social Development, by U.S. Department of Labor official (April 21, 1998).

[113] *El trabajo infantil en el Perú* at 48-49.

[114] Interview with Blanca Encinas.

[115] *Ibid.*

3. Economic Incentives

While making schools available and improving their quality is sometimes sufficient to increase enrollment and retention rates, some governments are compensating poor families for the loss of income that results when children go to school instead of working. Various types of economic incentives are being used, including free school meals, supplies, health care, and clothing, access to microcredit, and the waiver of school fees. Some programs also provide cash stipends.

Although economic incentive policies and programs have been used for over 20 years to increase school attendance and, more recently, to address child labor issues, the effectiveness of these programs has not been widely documented.[117] A recent study conducted by the ILO concludes that economic incentives can help reduce child labor and keep children in schools when implemented as part of a comprehensive approach that includes other activities, such as awareness-raising, improving educational quality, and increasing community involvement.[118] A number of the countries studied for this report are experimenting with economic incentive programs to increase primary school enrollment and attendance.

a. Meals for Children

One of the most popular incentive strategies is providing free meals to school children. This reduces the costs to parents of providing one or two meals (breakfast and/or lunch) and helps ensure that children get the nutrition essential for learning.[119] A number of countries are providing free school meals to attract or retain students.

- In **Brazil**, in 1997, the National School Lunch Program (*Merenda Escolar)* spent about 506 million *reais* (US$ 453.4 million) to provide breakfasts and lunches for students in 3,299 municipalities.[120]

---

[116] *To Learn and to Earn* at 48-51.

[117] Jo Boyden, Birgitta Ling, and William Myers, *What Works for Working Children* (Smedjebacken: Save the Children Sweden/UNICEF, 1998) 280 [hereinafter *What Works for Working Children*].

[118] *Targeting the Intolerable* at 106. To address possible dependency on such programs and the issue of their sustainability, it is also often recommended that employment-creation and income-generation schemes for adults be part of such programs. *Ibid.*

[119] *What Works for Working Children* at 281.

[120] "O dereito" at 16.

- The **Egyptian** Ministry of Education provides a meal to children during the school day as an incentive to attend school.[121]

- In **Mexico**, the National System for Integral Development of the Family (DIF) provides free school breakfasts to children in rural and marginalized urban communities where dropout and failure rates tend to be highest. As of April 1998, DIF was providing close to four million breakfasts every day to primary and secondary students.[122]

- In **South Africa,** the Primary School Nutrition Program fed nearly five million students in 13,000 schools in 1996.[123]

b. Food Distribution to Families

In some cases, food incentives are given directly to families who send their children to school. Direct distribution of food takes place in a number of the countries studied in this report.

- The Government of **Bangladesh** recently implemented a Food for Education Program that provides 15 to 20 kg of wheat every month to poor families with primary school children regularly attending school. The aim of the program is to increase attendance by supplementing the income of poor families. In 1996 more than 1.46 million children from about 1.14 million families benefited from this food program. It has significantly increased enrollment and attendance and reduced dropout rates at the primary level.[124]

- In the State of Rio de Janeiro, **Brazil**, the Foundation for Childhood and Adolescence (*Fundação para a Infância e Adolescência*) provides food baskets to urban families of working children or families with children at risk of working. The aid is given, however, only when children are registered in and attending school.[125]

c. School Vouchers

Other incentive programs provide school vouchers to eliminate, reduce, or subsidize school fees for poor and marginalized families. For instance, to offset school fees and indirect costs of schooling, the **Egyptian** Ministry of Education's

---

[121] Interview with Hussein Kamel Bahaa El-Din. *See also* U.S. Embassy-Cairo fax (September 3, 1998).

[122] Interview with Francisco Robles Berlanga and Juan Antonio Nevarez Espinosa, Sistema Nacional para el Desarrollo Integral de la Familia, by U.S. Department of Labor official (April 21, 1998) [hereinafter Interview with Berlanga and Espinoza].

[123] Address by Sipho Pityana, Director General, South African Department of Labor, to the International Conference on Child Labor, Oslo, Norway (October 1997).

[124] *Child Labour in Bangladesh: Its Context and Response to It* (Dhaka: ILO/IPEC, May 1998) 13.

[125] "O Futuro mais perto," *CIDADANIA* (Brasilia: Secretaria de Assistência Social, no. 1, January-March 1998) 11. The families of more than 2,097 working children benefited from this program in 1997. They also receive employment retraining for which they must agree to register their children in school. This is a legally binding agreement, and parents may be punished with up to two years in prison if their children are found working.

Mubarak Program for Social Cooperation (established in February 1996) provides school grants through the Ministry of Social Affairs to children whose families earn less than 100 pounds (US$ 29.41) per month. The grants are either provided in kind or as cash and are intended to cover school uniforms, books, supplies, and school fees. During the school year 1996-97, about 169,000 school children received school grants. The average annual grant per child was 14.17 pounds (US$ 4.17).[126]

d. *Cash Stipends*

A number of countries are providing cash stipends to poor families to offset the income lost by having children attend school instead of working. Such programs focus on encouraging families to support their children's enrollment in and attendance at primary school. Some examples follow:

Brazil

The School Scholarship *(Bolsa Escola)* program, established as a pilot program in **Brazil's** Federal District in 1995, ensures the equivalent of a minimum monthly salary to each needy family that keeps all its children between the ages of seven to 14 enrolled in and attending primary school.[127] In addition to requiring a monthly school attendance rate of 90 percent,[128] the program requires that unemployed adult family members be enrolled in the National Employment System (SINE). As of September 1997, the program had assisted 44,382 children from 22,493 families.[129] The cost of the *Bolsa Escola* program in 1997 was 32 million *reais* (US$ 28.7 million), or one percent of the Federal District's budget.[130]

In conjunction with the *Bolsa Escola* program, the Federal District government is also implementing the School Savings Program (*Poupança Escola*) as an additional incentive for families to continue their children's education, prevent failure, and reduce school dropouts.[131] The School Savings Program deposits the equivalent of a monthly salary into the savings account of each child enrolled in the *Bolsa Escola* program for each grade that is successfully completed, from first to

---

[126] *Child Labour in Egypt* at 27. The average school grant falls far short of the estimated costs of sending children to school. Annual school fees at the primary level range from 11.35 to 15.85 pounds (US$ 3.33 to 4.66), and the Ministry of Education estimates that the average annual cost born by poor families for primary school amounts to 348 pounds (US$ 102.35) per child.

[127] Participating families' average monthly per capita income must be equal to or lower than one minimum monthly wage. Families must also have resided in the Federal District for at least five years prior to joining the program. "Scholarship" (pamphlet), Government of the Federal District of Brazil (September 12, 1997) [hereinafter "Scholarship" pamphlet]. *See also Bolsa Escola: The End of Child Labor*, 2nd ed. (Brasilia: Government of the Federal District, 1997) 17-19 [hereinafter *Bolsa Escola*].

[128] School attendance is monitored by the Secretariat of Education. Benefits are suspended for families whose children have more than two unexcused absences from school. *See* "Scholarship" pamphlet.

[129] *Ibid.* The goal of the Federal District government is to assist the more than 35,000 families and 70,000 children living below the poverty level in the city. "GDF lança programa pioneiro," *LIDA* (Brasilia: Ministry of Labor, no. 4, September-October 1997) 34 [hereinafter "Programa pioneiro"].

[130] *See* "Scholarship" pamphlet; "Programa pioneiro" at 34.

[131] *Bolsa Escola* at 21-22.

BEST COPY AVAILABLE

eleventh grade.[132] Students who drop out or fail to be promoted to the next grade twice in a row are removed from the program and the account funds are reverted to the government.[133] As a result of the *Bolsa Escola* and the School Savings programs, the school dropout rate in the Federal District was reduced from about 11 percent in 1995 to 0.4 percent in 1996.[134] The *Bolsa Escola* program is being replicated in 15 cities throughout Brazil, and the Governor of Brasília is starting a campaign to transfer this concept to other countries.[135]

Mexico

In August 1997, **Mexican** President Ernesto Zedillo announced the establishment of the Program for Education, Health, and Nutrition (PROGRESA).[136] One of the objectives of the program is to provide economic incentives for poor families to keep their children in school.[137] Its target population is the 1.5 to two million children who are not regularly attending school or who have dropped out.[138] PROGRESA offers bi-monthly educational scholarships, linked to school attendance, for students under the age of 18 in grades three through nine. Children must have at least an 85 percent attendance rate to receive the scholarship.[139] Teachers are relied on to verify the attendance of scholarship recipients.[140] The amount of the scholarships range from 70 to 630 *pesos* (US$ 7 to US$ 63).[141] The amount increases with each grade, and in secondary school is slightly higher for girls than boys.[142] PROGRESA also provides financial assistance for school materials to children in grades one

---

[132] According to the Federal District government, the School Savings Program accounts for approximately 10 percent of the average annual cost of maintaining a student in the public school system. *See* "Scholarship" pamphlet.

[133] The money is deposited in the Federal District's Solidarity Fund (FUNSOL) and is invested in social programs, such as income-generation and job-creation projects. *See* "Scholarship" pamphlet.

[134] *See* "Scholarship" pamphlet. As of July 1998, the average school dropout rate among *Bolsa Escola* children in Brasília was almost zero. Correspondence from Cristovam Buarque, Governor of the Federal District of Brazil, to Alexis M. Herman, U.S. Secretary of Labor (July 9, 1998). For an evaluation of the Bolsa Escola program *see Executive Summary of the Report "Scholarship Program of the Federal District"* (Brasilia: UNESCO, UNICEF, and POLIS, March 1998).

[135] *Ibid.* In June 1998, President Cardoso announced a national complementary Family Income Program (*Programa de Complementação de Renda Familiar*), which is based on the *Bolsa Escola* model. The new program will be implemented in 1999 and aims to assist up to three million families. Families participating in the program will receive 30 *reais* (about US$ 25) monthly per child and will be required to enroll their children in public schools. *See* "Negociações na educação se arrastam," *Jornal do Brasil*, June 3, 1998, 4.

[136] Embassy of Mexico Submission 22-23. *See also* "PROGRESA: Programa de Educación, Salud y Alimentación" (www.sedesol.gob.mx/html2/progresa/progres1.htm).

[137] PROGRESA also has nutritional and health components. *See* Embassy of Mexico Submission at 22- 23.

[138] Interview with Alejandro de la Canal.

[139] Fax and telephone interview with Debora Schlam Epelstein, *PROGRESA* Program, Secretariat of Social Development, by U.S. Department of Labor official (September 29, 1998) [hereinafter Interview with Debora Schlam Epelstein].

[140] Interview with Alejandro de la Canal. PROGRESA is gradually expanding its coverage but in its initial phases focuses on selected marginalized, rural microregions of the country with poor access to basic education and health services. Selection of participating families within each region is based on income and socioeconomic indicators such as literacy, economic activity, and composition and structure of the family. *See* José Gómez de León, "El Programa de Educación, Salud, y Alimentación: Progresa," *Economista Mexicano*, vol. 1, no. 4 (October-December 1997) 279.

[141] Interview with Debora Schlam Epelstein.

[142] Embassy of Mexico Submission at 22.

BEST COPY AVAILABLE

through nine.[143] At the end of 1997, PROGRESA was assisting close to 400,000 families in 13 states, including families receiving educational scholarships and health and nutritional services.[144] In 1998, the total budget for PROGRESA is over two billion *pesos* (US$ 250 million), and the program is projected to assist almost two million families in 28 states.[145]

Another program, the National System for Integral Development of the Family (DIF), provides cash stipends for basic and vocational education to needy families in urban areas that send their children to school. Stipend recipients are required to show the report cards of their children to DIF officials to prove regular school attendance. This program began about eight years ago and is smaller than PROGRESA. It currently provides 8,000 stipends throughout **Mexico**.[146]

In addition to targeting at-risk rural and urban children, the **Mexican** Government has developed a stipend and hostel program targeting indigenous children. The aim of the program, administered by the National Indigenous Institute (INI), is to increase indigenous children's access to primary education. In 1997, INI operated 1,706 hostels and provided 58,000 stipends.[147]

This section has discussed a number of strategies for addressing impediments to educational attainment and increasing primary school enrollment, attendance, and completion rates. While some initiatives have targeted all children, others have focused on marginalized groups, including working children. Since the impact of these efforts can only be assessed by future increases in the number of children attending and completing school, these strategies have been presented to provide a general indication of government commitment to universal primary education. Chapter V describes in greater detail programs designed to remove children from exploitative work and reintegrate them into school and family life.

---

[143] *Ibid.*

[144] U.S. Embassy-Mexico City, unclassified telegram no. 11304 (November 25, 1998).

[145] Embassy of Mexico submission at 24.

[146] Interview with Berlanga and Espinosa.

[147] Embassy of Mexico submission at 28.

V. Targeted Initiatives to Eliminate Child Labor

A. Overview

The nature and extent of child labor in the 16 countries studied for this report was discussed in Chapter II, which focused on the exploitation of children in commercial agriculture, manufacturing, mining and quarrying, and services. This chapter illustrates specific efforts implemented or advanced by governments in the 16 countries to address the exploitation of children working in these sectors. It also describes projects aimed at the elimination of child labor across several sectors.

While this chapter does not provide an exhaustive listing of such efforts, it attempts to illustrate the level of government commitment to eradicating the exploitation of children through the implementation and support of targeted child labor projects. In many cases, these efforts are being implemented by government authorities, often in partnership with nongovernmental actors. Other projects are being supported or facilitated by government entities, through either direct funding or government participation in international initiatives such as the ILO's International Program on the Elimination of Child Labor (IPEC).

The targeted initiatives discussed in this chapter facilitate and complement the efforts in child labor law and enforcement and education discussed in previous chapters. While the focus here is on efforts either implemented or advanced by governments, it is important to note that numerous NGOs around the world are undertaking significant efforts without the participation or support of governmental authorities. The importance and value of such efforts cannot be overestimated. In some cases, nongovernmental actors are helping child laborers and their families where governments have failed to adequately prevent the exploitation of children. Ultimately, however, governments have the greatest responsibility for eliminating child labor and the broadest resources for addressing the problem.

While there is a broad range of programs and policies that could positively affect poverty and other socio-economic factors that lead to child labor, this chapter describes only those initiatives that directly aim to eliminate child labor and provide alternatives for working children and their families.[1] It does not include projects that solely attempt to improve the working conditions of child laborers. In addition, given the relatively short time that many of these initiatives have been in place and the inherent difficulties in measuring the long-term impact of specific projects, the effectiveness of these efforts is generally not evaluated. However, where reliable data on the impact of a given effort are available, they are included.

---

[1] This chapter does not cover child labor labeling programs or codes of conduct. Such efforts were described in detail in *The Apparel Industry and Codes of Conduct: A Solution to the International Child Labor Problem?* (Washington, D.C.: U.S. Department of Labor, 1996) and *By the Sweat and Toil of Children (Volume IV): Consumer Labels and Child Labor* (Washington, D.C.: U.S. Department of Labor, 1997).

BOX V-1

IPEC Members

1992:	Brazil, India, Indonesia, Kenya, Thailand, Turkey
1994:	Bangladesh, Nepal, Pakistan, the Philippines, Tanzania
1996:	Argentina, Bolivia, Chile, Costa Rica, Egypt, El Salvador, Guatemala, Nicaragua, Panama, Peru, Sri Lanka, Venezuela
1997:	Benin, Cambodia, Dominican Republic, Ecuador, Honduras, Senegal
1998:	Madagascar, Mali, Paraguay, South Africa, Uganda

Targeted child labor projects supported by governments are being implemented by a wide range of actors, including NGOs, international organizations, trade unions and employers' associations, and the media. Indeed, international organizations such as the ILO and UNICEF are playing an instrumental role in combating child labor in many countries. Of the 16 countries studied for this report, all but Mexico are participating in the ILO's International Program on the Elimination of Child Labor (IPEC) (*see* Box I-1 in Chapter I for a detailed description of IPEC). A government's participation in IPEC can be seen as an important step towards acknowledging the existence of child labor and taking an active stance towards eliminating it. Many of the projects described in this chapter receive IPEC funding and technical support. Box V-1 lists current IPEC member countries and the year in which each signed a Memorandum of Understanding with IPEC.

Efforts to eliminate child labor are as varied as the types of work in which children are engaged. The projects presented in this chapter vary in size, scope, and emphasis. While some help thousands of children, others help fewer than 100. Three key objectives of the projects are preventing child labor, removing children from exploitative work, and providing children with alternatives such as education or vocational training. Some projects provide the families of working children with income generating opportunities or economic and other incentives to compensate them for income lost by sending their children to school instead of to work. Other projects focus on raising public awareness of child labor abuses and children's rights. *See* Box V-2 for some examples of how such public awareness projects have been successfully implemented. Initiatives targeted at child labor in agriculture, manufacturing, mining and quarrying, and the services sector are reviewed in Section B of this chapter. Section C covers multi-sectoral initiatives, projects focusing on several sectors or industries.

B. Industry or Sector-Specific Initiatives

Initiatives described in this section target specific child labor populations in agriculture, manufacturing, mining and quarrying, and various service occupations, including children working as domestic servants, commercial sex workers, and children working on the streets.

BOX V-2

Raising Public Awareness of Child Labor

Projects to raise awareness about the plight of working children have proven successful in provoking action by governmental and nongovernmental actors to address the problem. Awareness raising projects help bring greater attention to the exploitation of working children and inform the public about children's rights and the importance of education. A number of countries have incorporated public awareness and advocacy efforts into their overall strategy for combating child labor. Below are some examples from Brazil and the Philippines which involve significant cooperation among government agencies, international organizations, trade unions, and NGOs.

In Brazil, the Abrinq Foundation for Children's Rights has been instrumental in bringing attention to the child labor problem. In 1994, with the financial and technical assistance of ILO/IPEC, the Abrinq Foundation produced a photographic journal of child labor in Brazil, *Children of Steel*, and a video, *Profession: Child*. With support from UNICEF, the News Agency for Children's Rights (ANDI) has been working since 1992 to increase media coverage of issues related to child labor. All of these efforts have been instrumental in raising awareness and provoking action to confront child labor in Brazil. In addition, Brazilian trade unions, such as the Unitary Workers' Union (CUT), the National Rural Workers' Confederation (CONTAG), and Syndical Force, have published child labor surveys and produced radio programs and other public awareness materials to educate the public. They have also sponsored community-based activities highlighting the plight of working children and stressing their right to an education.

Governmental and nongovernmental actors in the Philippines have worked together to increase media attention and public awareness of child labor issues. The Philippine Information Agency has prepared and distributed a series of commercials for radio, television, and print media that focus on child labor issues. The Philippine Center for Investigative Journalism, with ILO/IPEC support, has produced two documentary films on child labor (*No Time to Play* and *Minsan Lang Sila Bata*) that expose the situation of child workers in gold mines, pyrotechnics workshops, slaughter houses, sugar cane plantations, and in stevedoring. The films have been shown nationally and internationally.

1. Agriculture

As stated in Chapter II, more of the world's working children are employed in agriculture than in any other sector. This section discusses initiatives undertaken or facilitated by governments to remove and rehabilitate children working in the agricultural sector. Specifically, it includes several initiatives to combat child labor in **Tanzania's** tea and tobacco plantations, **Brazil's** sisal plantations, and **Mexico's** fruit and vegetable farms. This section also describes initiatives in **Nepal** and **Turkey** targeting children working in agriculture under conditions of bondage or forced labor. Some of these initiatives provide economic incentives such as food baskets to working children and their families; others focus on providing rehabilitative services such as nonformal education. Many combine elements of both.

- ***Brazil: Goat-to-School Program***

As noted in Chapter II, there are numerous health and safety risks involved in cutting and processing sisal, and resulting injuries can be debilitating. In one sisal-producing municipality in the Brazilian state of Bahia, a local union initiated a program to reduce the number of children working in the local sisal industry.

In 1996, the Union of Rural Workers of Retirolândia (Bahia), set up a pilot project to benefit working children and their families. The union provided goats to families who agreed to send their children to school instead of to work and instructed the families on the breeding of livestock. As part of the arrangement, parents agreed to use milk from the goats to feed their children. Parents also agreed to repay to the union as many goats as were originally given to them, thereby enabling the program to assist additional families.

Initially, more than 60 goats were distributed to about 30 families. As a result, more than 100 children were removed from hazardous work and instead attended school.[2] Initially financed by IPEC, the program is now self-sustaining, and the number of families it serves continues to increase. The project has raised awareness of the hazards of child labor and the importance of education. It has also been active in coordinating efforts among teachers and other education professionals to improve the municipality's educational infrastructure.

- ***Mexico: Program for the Gradual Reduction of Child Labor in Agriculture in Sinaloa***

Children working as agricultural day laborers on commercial fruit and vegetable farms in Mexico are subject to hazardous conditions. In recent years, media coverage and campaigns by North American vegetable growers have focused particular attention on the alleged use of child labor by growers of fruits and vegetables in Mexico's northeastern state of Sinaloa.[3] To confront the child labor situation, the Confederation of Agricultural Associations of the State of Sinaloa (CAADES), in cooperation with the federal, state, and local governments, initiated a program in 1997-1998 to phase out child labor over a three-year

---

[2] *Prevenção do Trabalho Infantil: Experiência do Sindicato dos Trabalhodores Rurais de Retirolândia* (Retirolândia/Bahia: Sindicato dos Trabalhodores Rurais de Retirolândia, 1996) 7. As of 1997, about 200 children in 50 families had been assisted by the goat program. "Infância Roubada," Special Edition on Child Labor (São Paulo: Folha de São Paulo, May 1, 1997) 5. This program is currently being implemented in conjuction with the Ministry of Welfare and Social Assistance's Program on the Eradication of Child Labor (described below) to provide important income generating opportunities through the sale of goat cheese, milk, and meat.

[3] Statement of R.J. Taylor, President of Taylor and Fulton, Inc. on behalf of Florida Farmers and Suppliers Coalition, Inc. before the Subcommittee on International Operations & Human Rights and Subcommittee on Economic Policy & Trade, Committee on International Relations, U.S. House of Representatives (October 22, 1997). *See also* S. L. Bachman, "Young Workers in Mexico's Economy," *U.S. News and World Report* (September 1, 1997) 40.

BEST COPY AVAILABLE

period.[4] In its first year, 46 of CAADES's 50 members, representing 122 farms, participated in the program.[5]

The program offers monthly compensatory food packages worth 300 *pesos* (US$ 30.00) to families who remove their children from work and send them to school, an amount equal to roughly 30 percent of an adult's monthly salary.[6] The Sinaloa State Government's System for the Integral Development of the Family (DIF) covers 70 percent of the cost of the food packages, and growers provide the remaining 30 percent. In some cases, growers also contribute to the construction and furnishing of classrooms on their farms.[7] The Department of Education provides teachers and school materials.

During its first year, the program targeted child workers up to 10 years of age[8] and included the participation of almost 2,000 children. While the majority of the children were between the ages of six and 10, another seven percent were between the ages of 11 and 14.[9] Teachers were responsible for taking attendance to ensure that participating children were not working. Each child who completed 120 days of schooling received a certificate from the Ministry of Education.[10] By the end of the 1999-2000 season, the program will broaden its target group to include children up to the age of 14.[11]

- ***Tanzania: Programs to Reduce Child Labor on Plantations***

In some districts of the Iringa region in southwestern Tanzania, children labor from dawn to dusk on tea and tobacco plantations. In order to eliminate child labor in these districts, the Tanzania chapter of the African Network for the Prevention and Protection Against Child Abuse and Neglect (ANPPCAN), under an IPEC program, initiated a dialogue with community leaders, parents, district officials, employers, and schoolteachers on how to launch a community-based action program against child labor.[12] Among its strategies, ANPPCAN used drama and theatre to mobilize communities and raise awareness of child labor.

Since the inception of ANPPCAN's program in 1995, teachers report improvements in both school enrollment and attendance. As a result of the program's efforts, 12 primary schools are now providing meals for students, and some employers have started providing school materials and meals for children and supporting women's self-help groups that enable families to pay school fees and buy school uniforms.[13]

---

[4] CAADES estimates that 14,000 of the 120,000 agricultural workers who migrate to Sinaloa each year are children ages six to 14. *La horticultura de Sinaloa y el trabajo infantil* (Culiacán: Comité de Planeación para el Desarrollo del Estado de Sinaloa, July 1998) 2 [hereinafter *La horticultura de Sinaloa*]. Others estimate that the number of children working may be closer to 30,000. Interview with María Teresa Guerra Ochoa, Universidad Autonoma de Sinaloa, by U.S. Department of Labor official (April 23, 1998).

[5] Interview with Mario H. Robles, CAADES, by U.S. Department of Labor official (April 22, 1998).

[6] *La horticultura de Sinaloa* at 9-10.

[7] Interview with Mario Robles, CAADES, by U.S. Department of Labor official (April 23, 1998).

[8] *La horticultura de Sinaloa* at 8.

[9] The program did not exclude children over 10 in its first year, although the target group was 10 and under.

[10] Interview with Clarissa Habermann, DIF Sinaloa, by U.S. Department of Labor official (April 22, 1998).

[11] *La horticultura de Sinaloa* at 8.

[12] *IPEC Action in Tanzania* (Geneva: ILO/IPEC, 1996) 10.

Other organizations have also been involved in efforts to reduce the number of children working on plantations. The Organization of Tanzanian Trade Unions has trained union leaders to bargain for the protection of working children and prevention of child labor. The Association of Tanzanian Employers has initiated a dialogue among plantation owners and managers on the child labor situation and what can be done to prevent child labor.[14]

- ***Nepal: Programs for Bonded Children***

In Nepal, several programs aim to rehabilitate rural children working under bonded conditions. The Informal Sector Service Center (INSEC), which has received ILO/IPEC funding, provides educational opportunities to bonded children. INSEC provides children with nine months of nonformal education, focusing on basic language and arithmetic skills, and then seeks to integrate these children into formal primary education. Through these activities, INSEC has enrolled over 1,000 children in Nepalese schools.[15] Rural Reconstruction Nepal (RRN), another NGO receiving ILO/IPEC support, also provides nonformal education to bonded children, enabling many to be admitted to government schools. In addition, RRN provides vocational orientation and skills training to older children and their parents.[16]

- ***Turkey: Development Foundation of Turkey***

The Development Foundation of Turkey (DFT) has initiated a project addressing seasonal forced child labor in several rural mountain villages in the Duragan district of Sinop. Each year, during the first week of May, about 400 male children are taken by their fathers to the "child labor market" in Bafra and auctioned off. Affluent families in nearby towns "rent out" these nine- to 15-year-old children for periods of up to five months to perform tasks such as caring for livestock, stacking and drying tobacco leaves, and cutting wood.[17]

With support from ILO/IPEC, the DFT established an office in Duragan to help train 56 boys, together with their families, in economic activities such as beekeeping, turkey breeding, and greenhouse agriculture that allow them to earn income and thereby avoid being rented out as seasonal forced labor.[18] The program has generated considerably more income for most of the families than could have been generated by renting out their children.[19]

---

[13] *Ibid.* at 11.

[14] *Ibid.* at 7-8.

[15] Interview with Krishna Upadhyaya, Director of Programs, Informal Sector Service Center, by U.S. Department of Labor official (May 21, 1998).

[16] *IPEC Summary of Individual Country Programmes - Nepal* (Geneva: ILO/IPEC, 1998) 6 [hereinafter *IPEC Summary - Nepal*].

[17] *Child Labor in Rural Turkey: The Example of Duragan* (Ankara: ILO/IPEC-DFT, undated) [information sheet on file].

[18] Interview with Sule Caglar, Director, ILO/IPEC Ankara, by U.S. Department of Labor official (April 23, 1998) [hereinafter Interview with Sule Caglar]. Interview with Ahmet Saltik, Coordinator for Rural Development, and Nilufer Dersan, Economist, Development Foundation of Turkey, by U.S. Department of Labor official (April 30, 1998) [hereinafter Interview with DFT officials]. *See also Vocational Training for Rural Child Labour: Final Output Report* (Ankara: Development Foundation of Turkey, 1996) 2.

2. Manufacturing and Quarrying

As noted in Chapter II, child labor in the manufacturing sector accounts for about eight percent of all child labor, and the mining and quarrying sector accounts for about one percent of all child labor. Children working in the manufacturing sector are often employed under subcontracting arrangements and work out of small workshops or homes where they face various hazards and lack the protection of existing child labor legislation. Likewise, quarrying often involves children working in small scale enterprises under highly hazardous conditions.

The following section describes efforts made by a variety of actors, in partnership with governments, to eliminate child labor in the manufacturing and quarrying sectors and rehabilitate former child workers. Many of these efforts focus on providing alternative forms of income for children and their families and providing education and health services. This section includes initiatives in **Bangladesh** and **Pakistan** to remove and rehabilitate child laborers in the garment and sporting goods industries. It also covers efforts to eliminate child labor in the **Nepalese** carpet industry, the **Brazilian** shoe industry, the **Peruvian** brick making industry, and the Guatemalan and Peruvian stone quarrying industries.

- ***Bangladesh: Memorandum of Understanding in the Garment Sector***

In July 1995, the Bangladesh Garment Manufacturers' Association (BGMEA), the ILO, and UNICEF signed a Memorandum of Understanding (MOU) aimed at eliminating child labor in the garment industry. The MOU provided that all children working in the garment sector should be removed from factories and enrolled in schools, but that children should not be removed from work until an appropriate school program was in place.[20]

It prohibited factories from hiring new underage workers or retaining children once school facilities were available. The MOU established processes for verification and monitoring of employment at garment factories, referral of underage workers to NGO-run schools, and monthly income maintenance stipends of 300 *taka* (US$ 6.88) for children attending school. The signatories agreed to jointly fund these activities and manage the implementation of the MOU through a steering committee.

The MOU partners established a monitoring program under the direction of the ILO to implement the MOU. To identify the incidence of child labor at BGMEA factories, monitoring teams—made up of ILO, BGMEA, and Government of

---

[19] Electronic correspondence from Sule Caglar, Director, ILO/IPEC Ankara, to U.S. Department of Labor official (September 3, 1998).

[20] *Memorandum of Understanding between BGMEA, UNICEF, and ILO Bangladesh*, July 4, 1995, Paragraphs 3 and 4.

Bangladesh representatives—visit registered factories in designated zones one to three times per month and interview workers.[21]

Over time, the MOU's monitoring system has helped to reduce significantly the number of child workers in BGMEA factories. A 1995 survey identified 10,546 children working in 891 BGMEA factories, or about 43 percent of BGMEA's 2,152 factories.[22] By 1996, the percentage of BGMEA factories employing children had fallen to 32 percent, and by 1997, the percentage had fallen to 13 percent.[23] Figures for January to May 1998 indicate that only eight percent of BGMEA factories still employ child workers.[24] The absolute number of children found at factories has also declined. Whereas early monitoring identified several hundred children per month, in April 1998, fewer than 100 child workers were found working in BGMEA factories,[25] and in October 1998, only 35 children were found.[26]

The MOU parties have established 353 schools, operated by two NGOs, the Bangladesh Rural Advancement Committee (BRAC) and Gano Shahajiya Sangstha (GSS).[27] Children attend these schools for three hours a day and for a period of two years at BRAC schools and three years at GSS schools.[28] The schools, run in consultation with the Bangladesh government, served a total of 9,710 children through the end of 1997.[29] In 1998, the number of children enrolled in the schools decreased significantly, as over 60 percent of the children originally enrolled turned 14 years of age, the legal age for factory employment (*see* Appendix D). To adjust for this decline, the program has consolidated numerous centers. On April 30, 1998, there were 232 schools in operation under the MOU, with a total enrolment of 4,307 students.[30]

In the future, the MOU parties are considering additional activities to alleviate the poverty of families with working children. Among the recommendations being considered by the steering committee are projects focusing on food supplementation, vocational training, skill training, microcredit facilities, and health care facilities.[31]

---

[21] *BGMEA, ILO, UNICEF Child Labour Project Bangladesh: Case Study or "Midterm Review"* (Dhaka: ILO- IPEC, July 1997) 9 [hereinafter MOU Midterm Review].

[22] MOU Midterm Review at 11. *See also A Breakthrough in Bangladesh: Supplementary Funding Proposal* (Dhaka: UNICEF, undated) 4 [document on file].

[23] MOU Midterm Review at 11.

[24] *Update Factory Monitoring per 01/05/98*, ILO/IPEC, Memorandum to Members of the Informal Steering Committee, Dhaka, May 13, 1998, 2 [document on file].

[25] *Ibid.* at 4.

[26] U.S. Embassy-Dhaka unclassified telegram no. 03322, November 11, 1998. This lower number may have been due to severe flooding and subsequent closure of several garment factories. *See also Update Factory Monitoring per 09/24/98*, ILO/IPEC, Memorandum to Members of the Informal Steering Committee, Dhaka, September 29, 1998, 2 [document on file].

[27] *MOU Update, A Breakthrough in Bangladesh: Creating Learning Opportunities for Working Children*. UNICEF, April 30, 1998 [information sheet on file] [hereinafter *MOU Update*].

[28] MOU Midterm Review at 7.

[29] *MOU Update.*

[30] *Ibid.*

[31] MOU Midterm Review at 12-15.

- ***Pakistan: Project to Eliminate Child Labor from the Soccer Ball Industry***

In February 1997, the Pakistani soccer ball industry, the ILO, and UNICEF reached an agreement to remove children from the production of soccer balls, provide them with educational opportunities, and create internal and external monitoring systems for the soccer ball industry. Over 50 Pakistani soccer ball manufacturers and U.S. importers have signed the agreement, known as the Partners' Agreement to Eliminate Child Labor in the Soccer Ball Industry in Sialkot, Pakistan.[52] This agreement is closely modeled on the Memorandum of Understanding, described above, between Bangladeshi garment manufacturers, the ILO, and UNICEF that aims to phase out employment of children in garment factories, place them in schools, and create a monitoring and verification program to ensure success.

The project has two programs—one focusing on prevention and monitoring and the other on social protection. The prevention and monitoring program aims to help manufacturers and assemblers identify and remove children under 14 years of age from soccer ball stitching centers by formally registering all stitchers, stitching centers, and stitching contractors.[53] It also aims to shift production from homes to stitching centers, where child labor violations can be monitored more systematically and effectively. Under the Agreement, manufacturers create their own internal registration and monitoring system that is supplemented by an independent monitoring group, charged with monitoring violations of the partnership agreement.[54]

The social protection program aims to rehabilitate child laborers, particularly those affected by the prevention and monitoring program, by providing more relevant and hence more valuable education, as well as in-kind assistance.[55] As of October 1998, about 5,400 children and their families were benefitting from the social protection program through 154 village education and action (VEA) centers. The VEA centers are charged with providing nonformal education to children removed from work in the soccer industry. They facilitate the enrollment of younger siblings in primary education, set up parent "action committees" to encourage parental participation in the program, establish income generation activities and other in-kind support, conduct awareness-raising campaigns in communities, and, whenever possible, mainstream children under 12 years old into the formal school system.[56]

---

[52] The project is implemented by the ILO, UNICEF, the Sialkot Chamber of Commerce and Industry, Save the Children - UK, Pakistan Bait-ul-Mal (government welfare fund department), and Bunyad Literacy Community Council (an NGO). *See* "Briefing Note: Project to Eliminate Child Labour in Soccer Ball Industry, Sialkot, Pakistan" Update of ILO-IPEC Monitoring and Social Protection Components (Geneva: ILO/IPEC, June 1998) [on file] [hereinafter "Briefing Note"].

[53] "ILO Unites with Industry Groups To Combat Child Labour," ILO press release (Geneva/Washington: February 14, 1997) [hereinafter ILO press release]. *See also* "Briefing Note" at 1.

[54] The independent monitoring body writes periodic reports for the World Federation of Sporting Goods Industry. These reports are then disseminated worldwide. *See* ILO press release and "Briefing Note" at 2.

[55] *Partners' Operational Framework (Draft)*, Project to Eliminate Child Labour in Soccer Ball Industry, Sialkot, Pakistan (1 June 1997 - 31 January 1999) [hereinafter *Partners' Operational Framework*]. *See also Partners' Agreement to Eliminate Child Labour in the Soccer Ball Industry in Pakistan*, February 14, 1998, 3.

[56] *Partners' Operational Framework*.

Prior to joining the ILO/IPEC Social Protection Program, about half of the children served had been stitching soccer balls full-time.[37] As indicated by ILO data collected for the period from October 1997 to October 1998, an average of 50 percent of the participating manufacturers' production capacity has been shifted to monitored stitching centers.[38] In addition, 80 small village-based stitching centers for women are now in operation.

The Sialkot project has had a positive impact across the border in India and in other industries in Pakistan. Soccer ball manufacturers in India, under the auspices of the Indian Sportsgoods Manufacturers and Exporters Association, have developed plans for a similar project to phase out employment of children in soccer ball stitching and ensure their attendance in school. Under the proposed plan, a new foundation, funded by exporter contributions, would promote education and ensure that underage children who are employed stitching balls are replaced by older siblings or parents.[39]

On October 22, 1998, the ILO and the Pakistani Carpet Manufacturers and Exporters Association signed an agreement to phase children under 14 out of the carpet industry, provide educational opportunities, and establish a compliance monitoring system. This landmark agreement flows from the model of the soccer ball agreement in Sialkot.

- ***Brazil: Phasing out Child Labor in the Shoe Industries of Vale dos Sinos***

Initiated in 1996 by the Association for the Well-Being of Young People (ASBEM), the Vale dos Sinos Project aims to protect working children and prevent and eliminate child labor in the shoe industries of Novo Hamburgo and Dois Irmãos—two cities in the State of Rio Grande do Sul.[40] An initial survey found over 480 children working in the shoe industry of these two cities. ASBEM's project has involved increasing awareness among the general public, employers, and parents about the plight of working children and negotiating with owners of shoe workshops to improve working conditions. In addition, the project has organized extracurricular education and prevocational training for children who stopped or were willing to stop working in the shoe industry.[41]

So far, about 150 children have been removed from work and placed in centers that provide them with educational and extracurricular activities. ILO/IPEC provided initial funding for the project, but local government will eventually assume the costs of sustaining it, including building and maintaining additional educational centers for children at risk of working in the shoe industry.[42]

---

[37] "Briefing Note" at 3. The project became operational in fall/winter 1997.

[38] "Report on Progress of the Monitoring Component, September 11 - October 15, 1998" (Sialkot: ILO-IPEC Soccer Ball Project, October 19, 1998) [on file].

[39] *Operation Education: A Commitment to Rehabilitate Children under 14 Involved in Stitching Footballs* (Jalandhar: The Sportsgoods Manufacturers and Exporters Association, 1998) 2-3 [document on file].

[40] A permanent forum consisting of NGO, industry, and labor representatives as well as regional Ministry of Labor officials is respon

[41] "Brazil: Phasing out Child Labor in the Leather and Shoe Industry" (Brasilia: ILO/IPEC, January 1997) [informational sheet on file].

- ***Guatemala: Combating Child Labor in the Stone Quarries of Retalhuleu***

In the Retalhuleu District of Guatemala, children as young as five years old work in stone quarries, chipping and carrying stones. Since June 1998, the Guatemalan Association for Sustainable Development (HABITAT), in cooperation with a number of government agencies, NGOs, and labor groups, has been implementing a project to eliminate child labor in the stone quarries of Retalhuleu.[43] The project involves analyzing the extent and nature of child labor in the area, raising local awareness about child labor, and encouraging participation in the project by parents and local business people. It aims to establish mobile education units for working children; provide medical and health services for working children and their families; promote income generation and economic alternatives; and encourage improvements in stone quarry production processes. The project is also working to create a database of child labor information and statistics.[44]

With ILO/IPEC funding, the project provides services to 1,081 working children (five to 14 years old) from 189 families. These families must sign an agreement to remove their children from work and place them in school.[45] As an initial step, children are allowed to attend mobile education units which offer a modified curriculum tailored to their specific needs and vocational training. The project aims eventually to integrate these children into formal schools. Their hours of work are progressively reduced until they can be completely removed from the quarry sites.[46] Although the program was only recently implemented, a number of children have already been removed from work and are now attending school.[47]

- ***Nepal: Rescue and Rehabilitation Program for Child Workers in the Carpet Industry***

Since 1995, the National Society for Protection of Environment and Children (NASPEC), with the support of ILO/IPEC, has run a rescue and rehabilitation program for children in Nepal's carpet industry. The program aims to phase out child labor in carpet factories, protect children removed from work during this process, and ensure that they do not return to factory work or find employment in other hazardous industries. Youths removed from the carpet factories are placed in temporary homes and nonformal education centers in the Kathmandu and Patan areas.[48] NASPEC also conducts informal education classes at carpet factories.[49]

---

[42] Electronic correspondence from Maria Beatriz Cunha, IPEC Coordinator, Brazil, to U.S. Department of Labor official (July 15, 1998).

[43] The project is being carried out in 13 communities in three municipalities of Retalhuleu. *See* Interview with Carmen Moreno, IPEC Project Coordinator for Central America and the Caribbean, ILO/IPEC, by U.S. Department of Labor official (October 9, 1998) [hereinafter Interview with Carmen Moreno].

[44] *Combating Child Labor in Stone Quarries of Guatemala*, Sub-programme 3 (Guatemala City: ILO/IPEC, 1998) [hereinafter *Combating Child Labor in Stone Quarries of Guatemala*].

[45] Interview with Carmen Moreno.

[46] *Combating Child Labor in Stone Quarries of Guatemala.*

[47] Interview with Carmen Moreno.

Apart from education, NASPEC provides working children with counseling, health services, and skill development. The program also attempts to reunite child laborers with their parents, when possible, or place them in children's hostels.[50] Some children are given on-the- job training in carpentry, bicycle repair, and Tibetan painting. Others receive training in NASPEC rehabilitation centers in knitting, knot crafts, and envelope-making.[51] To date, about 650 working children have benefited from the nonformal education program, and 32 children have received skills training.[52]

- ***Peru: Huachipa Brick Fields Project***

The Huachipa brick fields project is implemented by the Government of Peru's National Institute for Family Well-Being (INABIF) and its Street Educators, with financial support from IPEC and collaboration from three NGOs.[53] The project targets children working in brick fields on the outskirts of Lima. These children, some as young as three and four years old, have been found working alongside their families turning over bricks. INABIF's Street Educators—usually young professionals with a background in social work or psychology—have identified close to 1,000 children working in the brick fields. Street Educators placed adolescent brick makers in vocational training courses and provided mentoring and tutoring for younger children. In addition, NGOs provided teacher training, health care services, and small loans to the families of working children to support their development of microenterprises.

The Huachipa program has achieved its initial goal of serving 300 children ages six to 13 years. One hundred children stopped working altogether, while the 200 remaining children reduced their hours of work from 40 to 15 hours a week.[54] Families have set up various microenterprises such as raising fowl and pigs, selling tires, marketing vegetables, and running small grocery stores, and are repaying the loans.[55] IPEC financial support ended in March 1998, but all parties hope to expand the project to reach other children working in the brick fields.

---

[48] *IPEC Summary - Nepal* at 9-10. *See also National Society for Protection of Environment and Children (NASPEC)* (Kathmandu: NASPEC, 1998) [informational pamphlet on file].

[49] Interview with Biaml Nepal, General Secretary, Nimash Kumar Sharma, Program Director, and Rajendra Threstha, Communication, Leadership Training and Development Management Specialist, NASPEC, by U.S. Department of Labor official (May 25, 1998) [hereinafter Interview with officials of NASPEC].

[50] *Ibid. See also IPEC Summary - Nepal* at 9.

[51] Interview with officials of NASPEC.

[52] *IPEC Summary - Nepal* at 10.

[53] The NGOs include *Adevi, Fe y Alegria*, and *Cesip. See Programa de Erradicación Progresiva del Trabajo Infantil en las Ladrilleras de Huachipa*, Summary Outline para Acción del Programa IPEC (Lima: ILO/IPEC, January 30, 1997).

[54] Interview with Roger Adrianzén Siancas and Alberto Cabello, Street Educators, INABIF, and Juliana Camacho, ADEVI, by U.S. Department of Labor official (May 14, 1998).

[55] Interview with Isaac Ruiz Sanchez, Centro de Estudio Sociales y Publicaciones (CESIP), by U.S. Department of Labor official (May 8, 1998).

- ***Peru: Carabayllo Stone Quarries Project***

The NGO CURMI, with ILO/IPEC support, strives to remove children from the work of breaking stones in the quarries of Carabayllo. By providing participating families with additional sources of income, CURMI aims to reduce their dependence on income earned by their children. Participating mothers are required to sign a pledge to keep their children from working. Already, CURMI has helped 20 local mothers establish a microenterprise manufacturing plastic bags. Street educators from the National Institute for Family Well-Being (INABIF) identified eligible families, monitored and evaluated implementation of the project, and helped parents meet their financial commitments. CURMI bought the necessary equipment and provided legal and technical counsel. A plastics company, UNIONPLAST, supplied the raw material, as well as technical and marketing advice for participating mothers.[56]

3. Services

The following section provides an overview of several efforts targeting child domestic workers, child commercial sex workers, trafficked children, and children living and working on urban streets. As demonstrated in Chapter II, all these service occupations pose serious risks to the physical and emotional well-being of children. Girls, in particular, are frequently employed as domestic servants and prostitutes, and are often victims of trafficking.

In order to eliminate child labor in the services sector, various countries have initiated programs targeting at-risk children and offering rehabilitative services to rescued child workers. Efforts include public awareness campaigns, nonformal education, skills training, economic incentives, employment opportunities for the families of working children, and re-unification of trafficked children with their families. The countries reviewed in this section include **Brazil**, **Kenya**, **Nepal**, **Nicaragua**, **Peru**, the **Philippines**, **Thailand**, and **Turkey**.

- ***Brazil: Projects for Street Children***

In Brazil, there are a number of organizations addressing the plight of working street children. *Projeto Axé*, an NGO founded in 1990 in the State of Bahia, has developed innovative programs focusing on socialization, vocational training, and educational opportunities for children and adolescents who work and live on the streets.[57] The project encourages working youth to leave high-risk environments and pursue an education.

After children enter *Projeto Axé*, they receive counseling and participate in literacy programs, vocational training, and artistic, cultural, and entertainment activities. Children age 12 and older may also participate in *Stampaxé*, where they produce silk-screened T-shirts; *Modaxé*, where they design and produce clothing for fashion shows; and the *Escola de Circo,* where they learn the circus trade.[58] *Projeto Axé* works very closely with local authorities and other NGOs.[59] The project has been so successful that it trains other NGOs to rehabilitate street children and prevent children from ever reaching the streets.[60]

---

[56] "Proyecto alternativo al trabajo infantil de niños y niñas picapedreros" (Lima: ILO/IPEC, August 13, 1997). *See also Resumen de actividades y proyectos IPEC Peru* (Lima: ILO/IPEC, April 20, 1998).

[57] In the traditional religion of Bahia, Candomblé, *axé* is a term that refers to the power, energy, or force that allows everything in the world to come into being. *Projeto AXÉ: The Bahian Axé* (Salvador: *Projeto Axé*, 1998) [information sheet on file].

In the state of Pernambuco, government funding supports *Casa da Passagem* (House of Passage), an NGO assisting street girls involved in prostitution. The organization assists approximately 300 street girls and low-income girls and adolescents (ages seven to 21) by offering educational and vocational activities, introducing them to community work, and reestablishing family links.[61] These services are furnished in two houses: House I, where the NGO raises awareness and strengthens the self-esteem of girls rescued from the streets, and House II, where at-risk girls receive lodging, professional skills, and vocational training. All of the girls are required to be enrolled in formal school. Some of the *Casa da Passagem* girls go on to become advocates for their communities, raising awareness about the dangers of prostitution and life on the streets.[62]

- ***Kenya: Assistance for Child Domestic Workers***

In 1995, the *Sinaga* Women and Child Labour Resource Centre began a program to raise awareness about child domestic workers and help girls engaged in domestic service in Nairobi.[63] As noted in Chapter II, domestic workers are often denied schooling, isolated from their families, and victimized by on-the-job sexual harassment and abuse. *Sinaga*, which receives funding from ILO/IPEC, has assisted about 255 young domestic workers by creating community awareness and soliciting community support.[64] The program provides skills training, basic education, counseling, legal advice, and a rescue shelter for girls who are abused by their employers. *Sinaga* also actively works to educate communities about the plight of child domestics. It publishes a working paper series and a quarterly newsletter that includes short stories and poems about the lives of child domestic workers.[65]

---

[58] "Entidades Civis Criam Projectos para Tirar os Meninos das Ruas," *LIDA* (Brasília: Ministério do Trabalho, no. 4, September/October 1997) 18-19 [hereinafter "Entidades Civis"]. *See also* Interview with Marli Macedo, *Projeto Axé*, by U.S. Department of Labor officials (May 21, 1998).

[59] *Encarando a Exploração* (Recife: Partners of the Americas/POMMAR, April 1996) 57 [hereinafter *Encarando a exploração*].

[60] *The State of the World's Children 1997* (New York: UNICEF, 1996) 57.

[61] Interview with Ana Vasconcelos, Coordinator of *Casa de Passagem*, Recife, by U.S. Department of Labor officials (May 15, 1998).

[62] *Encarando a exploração* at 46-47. *See also* "O Dereito a uma vida Melhor para os Pequenos Brasileiros," *CIDADANIA* (Brasília: Secretaria de Assistência Social, no. 1, January-March 1998) 18.

[63] Benson Oyuga, Collette Suda, and Afia Mugambi, *A Study of Action Against Child Labour in Kenya: Towards a Best Practice Guide on Sustainable Action Against Child Labor for Policy Makers* (Nairobi: ILO/IPEC, 1997) 65 and 119-122 [hereinafter *Action against Child Labour in Kenya*].

[64] *Ibid.* at 65 and 119-122. *See generally SINAGA* (Nairobi: The Sinaga Center, January-February 1997) [newsletter on file].

[65] *Action Against Child Labour in Kenya* at 65 and 119-122.

- ***Nepal: Programs to Eliminate Trafficking and Sexual Exploitation of Children***

With support from ILO/IPEC, the Nepalese Ministry of Women and Social Affairs and the NGO *Maiti Nepal* are implementing a program to eliminate trafficking and commercial sexual exploitation of children.[66] The government focuses its efforts on building the capacity of the governmental and nongovernmental community to deal with child trafficking at the national level. *Maiti Nepal* focuses on the prevention and rehabilitation of trafficked and sexually exploited children in Nepal. The NGO runs a rehabilitation center, two prevention camps, three transit homes, and a home for the dying. The rehabilitation center provides food, lodging, formal and nonformal education, vocational skill development, medical checkups, counseling, and identification of relatives. Currently 130 women and children stay at the center, the majority of whom are age 15 or younger.[67] Women and girls who finish the vocational skills training are encouraged to live independent lives. In fact, thirty have already started their own business with support from *Maiti Nepal's* microcredit program.[68]

Maiti Nepal's two prevention camps are in Nuwakot and Makwanpur, both districts with a high level of trafficking in girls.[69] These camps, each of which take 30 girls for a period of six months, aim to prevent them from being trafficked to brothels in India. At the camps, girls are made aware of the dangers of prostitution and provided with nonformal education and vocational training. Ninety girls have completed the program, and 60 more are about to finish. None of the girls who have been through the program have been trafficked, and two have joined the local police force.[70]

Maiti Nepal's three transit homes along the border of India and Nepal provide temporary shelter for girls returning from Indian brothels or girls who have been rescued.[71] These girls are provided counseling, medical care, assistance in identifying parents, safe passage home, and legal aid to pursue traffickers. After two months, they are either reunited with their families, transferred to one of the rehabilitation centers, or, if they are terminally ill, transferred to *Maiti Nepal's* home for the dying.

The work of *Maiti Nepal* also involves identifying criminals and filing charges against them, building networks and self help groups, mobilizing local populations to fight against the trafficking of girls, advocating for stronger laws, initiat-

---

[66] *Setting national strategies for the elimination of girls' trafficking and commercial sexual exploitation of children in Nepal* (Geneva: ILO/IPEC, 1997) 1, 6-7 [document on file].

[67] Thirty-five of the girls staying in the center are returnees from brothels in India, all but two of whom have been infected with HIV/AIDS.

[68] "Maiti Nepal: A Profile" (Kathmandu: Maiti Nepal, undated) [document on file] [hereinafter "Maiti Nepal"]. *Maiti Nepal* now also works with boys, ages three to 10, who have been sent to Bombay and turned into eunuchs. Interview with Sabin Gurung, Maiti Nepal, by U.S. Department of Labor official (May 27, 1998) [hereinafter Interview with Sabin Gurung].

[69] "Maiti Nepal" at 1.

[70] *Ibid.* at 2.

[71] *Ibid.*

BEST COPY AVAILABLE

ing public awareness campaigns, and putting pressure on the government to take action.[72] From 1993 to 1998, *Maiti Nepal* has been involved in the arrest of approximately 50 criminals.[73]

- ***Nicaragua: Alternatives to the Family Program***

The Government of Nicaragua Fund for Children and the Family (FONIF), in collaboration with ILO/IPEC and other nongovernmental groups, is implementing a program targeting children who sell goods at major intersections near shops, schools, gas stations, and bus stops. Many of these children are as young as 10 years of age and work for more than 12 hours a day. The Alternatives to the Family Program aims to reduce and eventually eliminate the number of children working in the streets of Managua by reincorporating them into formal or informal school environments and providing their families with income-generating alternatives. Six hundred child and adolescent workers currently benefit from the program, and some benefits also extend to other family members.[74]

FONIF coordinates the project, while local NGOs, community centers, and preschools provide daily care services, food, education, employment training, health care, and special treatment for youths addicted to sniffing glue.[75] The Managua mayor's office provides temporary employment to the families of working children, and the Ministry of Social Action provides food under a work-for-food program. Companies such as Pepsi and MILCA bottlers extend employment opportunities and credit to parents of children who sell goods at traffic signals and work in other high-risk situations.[76]

- ***Peru: Government of Peru Program for Street Educators***

The Street Educators Program, implemented by the National Institute of Family Well-Being (INABIF), is one of the Peruvian government's most important and focused initiatives to address the plight of working street children. The program seeks to assist street children by eliminating the daily hazards they face, building opportunities for their personal development, and tending to their basic health and educational needs. The program encourages working children to stay in or return to school. It also encourages them to reduce work hours, work in safer occupations, or stop work entirely, especially in the case of hazardous occupations. To achieve its goals, the program works with children, their families, and their community.

---

[72] *Ibid.*

[73] Interview with Sabin Gurung.

[74] The program is being implemented in five districts of Managua with the collaboration of many parties: the Ministry of Social Action, the Ministry of Education, the Ministry of Culture, the Ministry of Sports, the Ministry of Health, employers, the World Food Program, Centro para la Promocian del Desarrollo Local (CEPRODEL), Programa de Apoyo para la Salud Materno Infantil (PAMI), and Instituto de Proteción Humanos (INPRHU). The project duration is from April 1998 to April 1999. *Proyectos: Alternativas a la familia* (Managua: Fondo Nicaraguense de la Niñez y la Familia, March 1998) 1, 3, 7-8, 11-12 [hereinafter *Proyectos*].

[75] *Ibid.* at 9-11.

[76] *Ibid.* at 11.sible for the coordination and monitoring of this project.

The street educators go into the streets to meet working children. They cultivate relationships with them and persuade them to come to "reference centers." Once in the centers, children are encouraged to return to their studies, get tutoring and mentoring, relax, and have fun.

After educators identify a working child, they contact the child's parents to stress the importance of school. In many cases, they ask NGOs for loans so that families can set up microenterprises, increase their income, and have their children cut back or quit work and concentrate on school.[77] Street educators also discuss with teachers the situation of individual working children, including ways in which a teacher might help a student keep current or catch up in school. The program is time and labor-intensive, as it entails earning children's trust and building relationships with families in the community, but it has stopped some children from working and diminished the work hours of others.

A total of 5,549 street children and working children have participated in the program in the last four years. As of March 1998, the program had 156 educators serving 3,854 working children and 314 street children in 12 Peruvian cities.[78] INABIF's goal for 1998 is to have 206 educators in 14 cities serving 6,000 children.[79]

The Street Educators Program was initially funded by the Interamerican Development Bank (IDB), with UNICEF providing administrative and technical support. The IDB has gradually decreased funding, with the intent that eventually the program will be fully funded by the Government of Peru.[80] In June 1997, INABIF signed an agreement to work with ILO/IPEC, through the Street Educators Program, in areas where children work in hazardous situations. INABIF committed itself to doing diagnostics of the areas, identifying beneficiaries of the projects, organizing meetings with the communities, and evaluating and following up on the project. IPEC committed technical assistance and financial support.[81]

The Street Educators Program has entered into an agreement with Lima's Directorate of Education (part of the Ministry of Labor) to develop a program that will serve 1,830 working children. INABIF will identify working children and adolescents and direct them towards school. It will also inform teachers about child labor issues, monitor remedial education classes, care for working children at reference centers, and provide a curriculum proposal for a new school to be establish at the children's home, *Las Palomitas*. The Directorate of Education will include street educators in meetings to exchange information, promote identification and registration of working children and adolescents, establish remedial education classrooms,

---

[77] For example, as a result of the Street Educators' efforts, mothers of children working at the San Juan de Miraflores fish market in the outskirts of Lima received loans from CARE Peru to set up micro-enterprises. In return, the mothers agreed to keep their children from working. *See* Interview with Street Educators, San Juan de Miraflores fish market, by U.S. Department of Labor official (May 8, 1998).

[78] *Resumen del Programa Educadores de Calle* (Lima: INABIF, 1998).

[79] Interview with Carlos Ghersi, INABIF, by U.S. Department of Labor official (May 8, 1998) [hereinafter Interview with Carlos Ghersi].

[80] Interview with Carlos Ghersi.

[81] "Acta de Intenciones entre el Programa de Educadores de Calle del Instituto Nacional de Bienestar Familiar (INABIF) y el Programa Internacional de Erradicación del Trabajo Infantil (IPEC) de la Organización Internacional del Trabajo (OIT)" (Lima: ILO/IPEC, 1997) 2.

BEST COPY AVAILABLE

solicit universities to staff the classes, and undertake a pilot program at the new school.[82]

- ***Philippines: Education Research and Development Assistance Foundation Smokey Mountain Program***

In 1989, the ILO and the Philippine Department of Labor and Employment's (DOLE) Bureau of Women and Young Workers initiated a project targeting child scavengers at the Balut dumpsite in Manila's Smokey Mountain. The initial project established a drop-in center to provide nonformal education and protective services to child scavengers. In 1992, the project was handed over to the Education Research and Development Assistance Foundation (ERDA). While maintaining the ILO and DOLE's initial project design, ERDA over the years has developed various new and innovative activities for the children it serves. Its rehabilitation program offers skills training and seeks to bring children back to school through a tutorial program coordinated with a local school. Children are provided opportunities to learn and earn income in safer and more creative ways, such as through paper recycling, T-shirt printing, and other arts and crafts activities. Specially trained workers also provide financial help, health care, and food. Parents, who also usually work at the dumpsite, provide permission for their children to enter the program. Parents must sign a contract to keep their children away from the dumpsite for five years and active in the program for at least three to four years.[83]

- ***Thailand: Program to Prevent Forced Child Prostitution***

Since 1994, ILO/IPEC has supported efforts by the Government of Thailand and several NGOs to prevent and eliminate the recruitment of children into prostitution in Thailand's northern and northeastern provinces. The focus of these efforts has been to provide direct social services to at-risk girls and their families and to build the capacity of governmental and nongovernmental agencies to carry out sustained efforts in the areas of prevention and elimination.

Under this action program, the Thai government, several NGOs, and academic institutions have conducted awareness-raising campaigns and provided nonformal education, skills training, and leadership training to at-risk girls. The Ministry of Education developed an education module that was sensitive to the problems and needs of at-risk girls. The Ministry tested the module in target schools, providing girls with basic education, career counseling, and training in skills such as baking, sewing, handicrafts, and computers.[84]

The NGO Thai Woman of Tomorrow (TWT) developed campaign materials to educate at-risk girls and their parents about alternatives to careers in the commercial sex industry. TWT developed videos about the dangers faced by girls working in the commercial sex industry and translated the videos into several local dialects. The videos also informed parents about the various alternative educational and career opportunities available to their daughters. Follow-up surveys indicate that, where shown, the videos have been successful in conveying their message to communities.[85]

---

[82] "Convenio de Cooperación entre la Dirección de Educación de Lima y el Instituto Nacional de Bienestar Familiar," Convenio No. 11-97/INABIF-D.E.L., September 1997, 1-4.

[83] Interview with Dolora Cardeño, Program Manager, ERDA, Manila, by U.S. Department of Labor official (April 29, 1998). *See also* Feny de los Angeles-Bautista and Joanna C. Arriola, *To Learn and to Earn: Education and Child Labor in the Philippines*, Working Paper Series on Child Labor (Manila: ILO/IPEC, 1995) 52-54.

[84] *US-DOL Funding: Status Report on IPEC Thailand* (Geneva: ILO, July 1998) 3-4 [hereinafter *US-DOL Funding*].

- ***Turkey: Development Foundation of Turkey—Education for Young Female Domestic Servants***

The Development Foundation of Turkey (DFT) implemented a program, involving three villages in eastern Turkey, to enable young female domestic servants to pursue an education. The project, supported by ILO/IPEC, targeted 60 girls who left school to work as domestic servants after completing just five years of basic education. The overriding desire of these girls was to complete their education. DFT developed income-generating activities for them, notably the processing of capers. To increase the time available for pursuing an education, the program purchased twenty solar-powered water heaters to help reduce the time girls spend cutting wood—up to three hours a day—to heat water for chores such as washing dishes.[86]

UNICEF facilitates the educational aspects of the project. It organized a long-distance learning program through the eighth grade and established an education center to complement the program. The United Nations Development Program (UNDP) contributed to the program by helping parents to increase food production through irrigation. Finally, the United Nations Fund for Population Activities (UNFPA) set up programs focusing on family-planning, reproductive health, and child health.[87]

C. Multi-Sector Initiatives

The following section outlines broad ranging and multi-sectoral efforts to rescue, remove and rehabilitate children from child labor. These programs, often involving a broad coalition of governmental and nongovernmental actors and community groups working in partnership, have reached tens of thousands of child workers and at-risk children.

The section describes multi-sectoral initiatives in **Brazil**, **India**, and the **Philippines**. The first example describes a program benefiting approximately 48,000 working children in **Brazil**. The second program has led to the release of approximately 100,000 children from hazardous work in **India** and to the enrollment of approximately the same number in nonformal schools. The third example highlights an NGO in the **Indian** state of Andhra Pradesh that has been instrumental in enrolling and retaining about 80,000 children in school since 1991. The last example comes from the **Philippines**, where a foundation has aided government agencies in uncovering cases of illegal child labor and successfully rescued many working children from exploitation in the agricultural, manufacturing, and service sectors.

---

[85] *Ibid.* at 7-8.

[86] Interview with Sule Caglar.

[87] *Ibid.* *See also* Interview with DFT officials.

- ***Brazil: Program on the Eradication of Child Labor***

The Eradication of Child Labor (ECL) program, sponsored by the Brazilian Ministry of Welfare and Social Assistance (MPAS), supports and encourages governmental and nongovernmental initiatives to eradicate child labor, particularly in rural areas of Brazil.[88] The ECL program specifically targets rural families whose children either work or are at risk of working and do not attend school.[89] The program aims to stop children from working and assure that they attend school on a regular basis. Families who participate receive assistance in health matters, job training, housing, and legal issues.[90] Coordination and implementation of the program involves federal, state, and local governments, labor and industry groups, and other relevant NGOs.

The ECL program began in 1996 as a pilot project in areas of the state of Mato Grosso do Sul, where children labor in charcoal production and maté[91] harvesting. In January 1997, the program was implemented in the sugar cane fields of Pernambuco state and, in June 1997, in the sisal and stone breaking region of Bahia state. As of May 1998, the program had also been implemented in three additional states—Sergipe, Rondônia, and Rio de Janeiro—where it targets the eradication of child labor in the orange/citrus industry, the commercial sex industry, and the sugar cane industry, respectively.[92] Nearly 48,000 children currently benefit from ECL projects.[93]

Children who participate in the ECL program must have an 80 to 90 percent school attendance rate and must attend a complementary educational activities program (*jornada ampliada*) before or after school.[94] As an emergency and temporary measure, the ECL program offers a stipend to supplement the income of participating families.[95] The value of the monthly stipends or scholarships ranges from 25 *reais* (US$ 22) to 150 *reais* (US$ 134), depending on local economic conditions and the number of children in each family between the ages of seven and 14.[96] The program also encourages the creation of income-generating projects that reduce the families' reliance on child labor as a source of income.

---

[88] *Child Labor in Brazil* (Brasília: Presidência da República, Câmara de Política Social, 1997) 53 [hereinafter *Child Labor in Brazil*]. The ECL program is part of a larger Brazilian government program, called the Brazil Citizen Child (*Brasil Criança Cidadã*), aimed at the comprehensive protection of children and adolescents (ages seven to 14) in vulnerable situations, including exploitation, poverty, and social exclusion.

[89] Prior to the implementation of the program, special surveys are conducted to identify child workers and those at risk of working in hazardous occupations. A Secretariat of Social Assistance (SAS) representative estimates that 400,000 children are working under "exploitative" conditions. Many others work within a family context where education is valued. Interview with Elizeu Calsing, SAS/MPAS, Brasília, by U.S. Department of Labor officials (May 13, 1998) [hereinafter Interview with Elizeu Calsing]

[90] *Child Labor in Brazil* at 55.

[91] Dried maté leaves are used to prepare a beverage that is popular in South America.

[92] The priority areas/sectors were chosen on the basis of a study carried out by the National Forum for the Prevention and Eradication of Child Labor. *Ibid.* at 54.

[93] So far, SAS has provided 10.7 million *reais* (US$ 9.6 million) for complementary activities programs in the six states participating in the ECL program; each state receives 25 *reais* (US$ 22) monthly for each child participating in the complementary activities program. Interview with Elizeau Calsing.

[94] Since children attend school for only four hours per day, the *jonarda ampliada* was designed to keep children in an educational setting and prevent them from engaging in hazardous work during the rest of the day.

A 1997 evaluation of the Mato Grosso do Sul program found the following: (1) child labor in charcoal production and maté harvesting has been eradicated in 100 percent of the municipalities surveyed;[97] (2) there has been an increase in primary school registration of 273 percent; (3) construction and/or expansion of 16 schools has been undertaken to address the increased demand for education; (4) school attendance has increased and students' educational performance has improved; and (5) there have been significant improvements in the living conditions of families participating in the program, including access to health services and new employment opportunities for the families.[98]

In the state of Pernambuco, the program's activities have helped reduce school absenteeism during the sugar cane harvest season.[99] The program has fomented partnerships between local government and community groups and led to a consolidation of agreements to end child labor in the state's sugar cane fields. The ECL program has also resulted in improvements in the area's educational infrastructure through the hiring of teachers and other school professionals. In addition, the nutrition and health of local families have been enhanced as a result of the program. According to the state of Pernambuco's Secretariat of Labor and Social Welfare, recent labor inspections found no evidence of children working in the 13 municipalities where the ECL program is being implemented.[100]

While the consensus is that ECL programs have been effective in reducing child labor in target areas, some concerns have been raised about the programs' broader impact, given the magnitude of the child labor situation in the country. An estimated 4.3 million children work in Brazil, but ECL programs currently help only 48,000 children who worked or were at risk of working in hazardous industries.[101] In addition, questions have been raised about the fairness of targeting rural child workers while neglecting or providing a lower level of protection to urban working children.[102] Concerns have also been raised about efforts to eliminate and prevent child labor in select industries rather than targeting all working children in a given region.[103] In some cases, the ECL programs are criticized for creating an increased demand for school facilities without ensuring that an adequate educational infrastructure is in place, including quality instruction.[104] Many of the implementing government agencies are trying to address this issue by building new schools, providing resources for transportation to schools, administering additional teacher training, and increasing teacher salaries.

---

[95] The ECL program is also financing complementary activities programs, without providing stipends to families, in 66 municipalities in the states of Amazonas, Alogoas, Goiás, and Pernambuco. Approximately 24,000 children are benefiting from these programs at a cost of 1.6 million *reais* (US$ 1.4 million). *Assistência Social - Gestão 1997* (Brasília: SAS/MPAS, 1998) 36 [hereinafter *Assistência Social*].

[96] *Ibid.* at 30. *See also* Interview with Elizeau Calsing.

[97] However, according to a local union representative in Mato Grosso do Sul, a 1997 Permanent Commission on Enforcement investigation of 40 charcoal production sites found 23 children and adolescents working. Interview with Ana Bisneto de Moura, Federation of Agricultural Workers, Mato Grosso do Sul, by U.S. Department of Labor officials (May 12, 1998)

[98] *Assistência Social* at 32.

[99] *Ibid.* at 33.

[100] Interview with Lilia Maria Dobbin and Mauro Magalhaes Vieira Filho, Pernambuco Secretariat of Labor and Social Welfare, by U.S. Department of Labor officials (May 15, 1998).

[101] The ECL program, however, is expected to cover an additional 86,000 children by the end of 1998. *Program for the Eradication of Child Labor-Progress Chart* (Brasilia: SAS/MPAS, 1998).

- ***India: National Child Labor Projects***

In August 1987, the Government of India announced a national policy on child labor. This policy called for the establishment of National Child Labor Projects (NCLPs) in 12 child labor-endemic states.[105] As of 1994, when the government began to focus its projects on an estimated two million children working in hazardous occupations, 76 child labor projects have been established. The main components of the projects include nonformal education, health, nutrition, and vocational skills training.[106] Under these projects, 1,800 nonformal schools have been opened,[107] and close to 105,000 children have been enrolled in these schools.[108]

The child labor projects are implemented by NGOs with the Government of India providing grants covering up to 75 percent of project costs. To qualify for such a grant, NGO programs must include education, nutrition, health care, and vocational components. So far, the government has awarded grants to 29 NGOs.[109]

---

[102] Interview with Marcello Paixão, Federação de Orgãos para Assistência Social e Educacional (FASE) and member of the Rio de Janeiro State Commission on the Prevention and Eradication of Child Labor, Rio de Janeiro, by U.S. Department of Labor officials (May 4, 1998) [hereinafter Interview with Marcello Paixão]. *See also* "Ato Público Reúne em Brasília Jovens que São Trabalhadores Rurais," *UDA* (Brasília: Ministério do Trabalho, no. 4, September/October 1997) 27. In Mato Grosso do Sul, SAS is implementing a pilot urban project for 315 children who collect and sell garbage in Campo Grande. The project started in February 1998 and it has the same eligibility requirements as the rural program for charcoal. *See* Interview with Mary Batista de Souza, Mayor's Office Representative, Campo Grande, Mato Grosso do Sul, by U.S. Department of Labor officials (May 12, 1998).

[103] In Rio de Janeiro, the ECL program may result in movement of child laborers from sugar cane harvesting to other industries, such as fishing and pineapple production. Interview with Jorge Barros, Director, Childhope Brazil, Rio de Janeiro, by U.S. Department of Labor officials (May 4, 1998). Because the region surrounding Campos—where most sugar cane production takes place—is fairly diversified, children may move from one industry to another as the seasons change, so that the prevention of child labor would be more effective if it were targeted at all working children in the area. Interview with Marcello Paixão.

[104] Interview with Marta Silva Campos and Carola Carbajal, Instituto de Estudos Especiais da PUC/SP, São Paulo, by U.S. Department of Labor officials (May 8, 1998). For a preliminary evaluation of the ECL program see *Programa de Erradicação do Trabalho Infantil: Relatório de Avaliação, 1996-1997* (São Paulo: Instituto de Estudos Especiais/Pontifica Universidade Católica de São Paulo, July 1998).

[105] *Vocational Training for Children in NCLP Schools*, Report of a Workshop on Vocational Training for Children in NCLP schools (Noida: National Resource Center on Child Labor, V.V. Giri National Labor Institute, 1998) 61 [hereinafter *Vocational Training in NCLP Schools*].

[106] *Ibid.* at 27 and 62.

[107] *Ibid.* at 27. *See also Annual Report 1996-1997* (New Delhi: Ministry of Labor, Government of India, 1997) 101 [hereinafter *Annual Report*].

[108] *Public Hearings on International Child Labor* (Washington, DC: U.S. Department of Labor, 1998) (Submission by the Embassy of India) 7-10 [hereinafter Submission of Embassy of India].

[109] Submission of Embassy of India at 9-10. *See also Annual Report* at 103.

The teaching style in the nonformal schools established under the NCLPs is designed to help disadvantaged students assimilate into the formal education system. Informal methods such as storytelling, singing, visual games, puppet theater, and community activities are used to promote students' active participation in school. Classes are conducted in the native language and local dialect.

Recently, however, an evaluation of the nonformal schools revealed several problems with the projects. Supplies of teaching and learning materials are irregular, and supervision of centers is only sporadic. There is little monitoring, and no regular feedback from school administrators to teachers. Teacher salaries are reported to be inadequate and often not paid on time. Moreover, despite the fact that instructors and administrators are often young and inexperienced, they receive no orientation or training before being expected to teach classes and supervise projects. Many of these problems have been attributed to the highly centralized and bureaucratic structure of the NCLP administration.[110]

A sociologist who evaluated NCLP activities in the state of Uttar Pradesh observed that the projects only help local children who are already receiving some degree of family support to attend school, and do not address the needs of migrant children from places like Bihar, who work under far worse conditions.[111] Several government officials in Uttar Pradesh agreed that the NCLPs are not addressing the more serious problems of migrant child labor.[112] The government is currently planning to open more NCLP training centers in Bihar in an effort to prevent children from migrating.[113]

Currently, the Ministry of Labor is reevaluating the NCLP. With an annual budget of US$ 11.6 million covering 76 programs nationwide, the Ministry's resources have been spread thin. In addition, the NCLP budget is not expected to be increased during the remaining three years of India's current five-year plan. To adjust to this situation, the Ministry is attempting to consolidate various NCLP centers, increasing funding to areas with high levels of child labor and closing underutilized centers.[114]

- ***India: M. Venkatarangaiya (MV) Foundation***

The goals of the M. Venkatarangaiya (MV) Foundation, established in 1990 in the Indian state of Andhra Pradesh, include enrolling and keeping children in schools, increasing parental support of their children's education, improving existing government schools, and putting pressure on political leaders at all levels to make education more accessible to children. The MV Foundation has been funded by the Indian Government and various organizations including ILO/IPEC, UNICEF, the

---

[110] *Vocational Training in NCLP Schools* at 31.

[111] Interview with Dr. B.N. Juyal by U.S. Department of Labor official (May 8, 1998) [hereinafter Interview with B.N. Juyal].

[112] Interview with Mrs. Sunanda Prasad, former Uttar Pradesh Commissioner, by U.S. Department of Labor official (May 8, 1998) [hereinafter Interview with Sunanda Prasad]. *See also* Interview with V. Venkatachalam, Uttar Pradesh Labor Secretary, by U.S. Department of Labor official (May 8, 1998).

[113] Interview with B.N. Juyal.

[114] U.S. Embassy-New Delhi, unclassified telegram no. 07257, September 4, 1998.

United Nations Development Program (UNDP), a Dutch NGO (HIVOS), and several Indian NGOs such as Child Relief and You (CRY) and the JRD Tata Trust.[115]

The foundation has a network of 8,000 "youth volunteers" who recruit children throughout Ranga Reddy district. These volunteers are former students, teachers at government schools, businessmen, and farmers interested in promoting education.[116] MV Foundation volunteers conduct door-to-door surveys in their villages to identify children who are working and out of school. In addition, volunteers try to identify individuals in the community who support increasing children's access to education and who might be willing to work with the foundation.[117] In cases where parents are hostile to volunteers, the volunteers still make a point of returning so that their constant appearance can help them establish some credentials with the parents.

Once foundation volunteers establish that a child is not in school, they determine whether the child should be enrolled in a local school, enter a government program, or be sent to a special MV Foundation "bridge camp." The bridge camp provides nonformal education and prepares former working children to enter government schools. During their first week at bridge camp, children spend their time playing, singing, dancing, and participating in other recreational activities. Initially, there is no teaching, since the camp's immediate goal is to help children feel comfortable in their new environment.

During the second week, teachers begin with storytelling exercises and then discuss with students whether they just want to play or whether they would gain something by learning. Students usually decide on their own that they want to learn something. They begin by learning the alphabet and then move on to studying sentence construction and learning proverbs.[118] All the subjects prescribed by the government are taught, but often in unique ways. Math and statistics may be taught by having students conduct surveys of the number of houses and water buffalo in their village. While much emphasis is placed on creating a happy learning environment, teachers also stress that learning can be difficult and often can require hard work. At the end of the 16-month course, students receive training on how to integrate themselves into mainstream schools, where the atmosphere tends to be more rigid and traditional.[119]

---

[115] *Annual Report 1997-98* (Hyderabad: M Venkatarangaiya Foundation, April 1998) Annex V [hereinafter *MV Foundation Annual Report*]. *See also Reaching the Unreached* (Secunderabad: M. Venkatarangaiya Foundation, undated) [informational booklet on file] [hereinafter *Reaching the Unreached*]

[116] To further support its activities, the MV Foundation has created a parent-teacher association (PTA), composed mainly of prominent businessmen and community leaders who work with the foundation to lobby for education. Interview with Shanta Sinha, Executive Director, and MV Teachers, MV Foundation, Mokhila Boys Camp, by U.S. Department of Labor official (May 14, 1998) [hereinafter Interview with Shanta Sinha and MV teachers]. *See also MV Foundation Annual Report* at 10-11.

[117] Interview with Shanta Sinha and MV teachers.

[118] *Ibid.* As soon as children can write, they are encouraged to write cards to their parents. Because very few parents can read, the cards are read to them by the village postman. Invariably, the first card they receive from the school is the first piece of mail they have received in their life.

[119] *Ibid.*

Today, in 100 villages where MV Foundation volunteers operate, close to 100 percent of the children are enrolled in school,[120] while in another 400 villages every child below the age of 11 is in school.[121] The program began in 1991 with 68 students in three villages,[122] and today can be credited for the enrollment and retention of about 80,000 children in school.[123]

- ***Philippines: Kamalayan Development Foundation***

The Kamalayan Development Foundation (KDF) assists government agencies in uncovering children illegally employed in factories and other places of work, documents cases of child labor and exploitation, and participates in rescue operations.[124]

The first such rescue operation took place in 1993. Following KDF surveillance and infiltration of a Chinese-owned sardine factory in Youngs Town (with KDF members posing as plant workers), KDF, in coordination with the Department of Labor and Employment (DOLE) and the National Bureau of Investigation (NBI), led a raid on the facility. The raid rescued seven child workers and 20 adult workers who had been illegally detained, maltreated, and grossly exploited. The raid was widely covered by the Philippine press, and for the first time, drew attention to the exploitation of working children in factories. Similar raids have since been conducted by KDF, DOLE, and NBI at a cooking oil factory, a plastic bag factory, several pig and poultry farms, prostitution dens, a textile manufacturing plant, a bleach factory, and a household that employed a child domestic worker.

In Ormoc City on the island of Leyte and in Davao City on the island of Mindanao, KDF has established programs to counter the efforts of child labor recruiters who often lure children into exploitative work under false pretenses. These programs have rescued children from recruiters and crippled certain child labor recruiting operations. In Metro Manila and Central Luzon, KDF has rescued children from labor recruiters and from working under sweatshop conditions in a water pump and tank factory. KDF has also been successful in bringing media attention to the case of children injured while working at an Ormoc firecracker factory.[125] Currently, KDF's efforts are focused on the plight of bonded child labor in Bulacan and on working children employed in the sugar haciendas of Ormoc,

---

[120] M.P. Joseph, *Education Initiatives Under IPEC* (New Delhi: ILO/IPEC, undated) 3 [document on file].

[121] Interview with Shanta Sinha and MV teachers.

[122] *Reaching the Unreached.*

[123] Between March 1997 and April 1998, 30,000 children were enrolled. To cope with the large increase in enrollment, the MV Foundation mobilized and trained 1,640 education activists to assist the existing 1,470 government school teachers. *MV Foundation Annual Report* at 2.

[124] *Kamalayan* is a Filipino term for awareness or consciousness. *See* "KDF: A Non-Governmental Organization of the Filipino Workers," *Batang Hurnal* (September 1997-February 1998) 1 [hereinafter *Batang Hurnal*]. Details of KDF's raids and other efforts to uncover bonded and other forms of exploitative child labor are well documented in two books by KDF's director. *See* Alejandro W. Apit, *A Beginning in Child Labor: A Worst Form of Child Labor Discovered and Rescue* (Quezon City: Kamalayan Development Foundation, 1996) and Alejandro W. Apit, *Child Recruitment and Some Most Hazardous Forms of Child Labor in the Philippines: A KDF's Experience* (Quezon City: Kamalayan Development Foundation, 1998).

[125] *Batang Hurnal* at 5.

BEST COPY AVAILABLE

Albuera, and Kananga. KDF is also engaged in a joint project with the Trade Union Congress of the Philippines to combat child labor in the informal sector.[126]

D. Summary Comments

This chapter has described several targeted child labor initiatives being implemented or advanced by governments in the 16 countries studied for this report. Many of these initiatives focus on the immediate elimination of some of the most hazardous forms of child labor and involve partnerships among governments, international organizations, NGOs, trade unions, and industry groups. Some of the targeted child labor projects not only remove children from exploitative work situations, but also provide supportive services such as educational opportunities for the children and income generation alternatives for their families. Often such multi-faceted and comprehensive programs are the most effective in eliminating and preventing the exploitation of children.

---

[126] *Ibid.* at 4 and 7. Over the years, KDF has received support from UNICEF, ILO/IPEC, Anti-Slavery International, Terre Des Hommes-Netherlands, and the Children and Youth Foundation of the Philippines.

VI. Conclusion

Child labor is a complex problem that requires comprehensive, multifaceted solutions. This report has described some of the major strategies that are now being undertaken by governments and nongovernmental actors to eliminate child labor. Chapter II described the nature and extent of child labor in the 16 countries studied in this report: **Bangladesh**, **Brazil**, **Egypt**, **Guatemala**, **India**, **Kenya**, **Mexico**, **Nepal**, **Nicaragua**, **Pakistan**, **Peru**, the **Philippines**, **South Africa**, **Tanzania**, **Thailand**, **and Turkey**. Chapters III and IV addressed two of the most basic and traditional governmental approaches to preventing the premature entry of children into the workforce: the enactment and enforcement of child labor legislation and the provision of universal, affordable primary education. Chapter V described targeted projects, implemented or advanced by governments, that focus on removing children from exploitative work and providing them with educational opportunities. These projects, often involving partnerships among governmental and nongovernmental actors, frequently complement efforts in law enforcement and education.

A. Child Labor in the World

While poverty is the reason most often given for why children work, child labor also perpetuates poverty, since children who must begin work at an early age often compromise their future earnings potential. Today, hundreds of millions of children are working around the world, often in occupations that are clearly harmful to their health and future development. Many millions of these children work full time and in dangerous or abusive conditions, deprived of opportunities for education and the accompanying promise of a better future.

As explained in Chapter II, child laborers are seldom found in large and medium-sized enterprises, except in commercial agriculture. Child laborers most often work in small workshops, home-based operations, informal mining and quarrying enterprises, and a myriad of service sector jobs—usually out of reach of legislation and labor inspection. Some children work in occupations that are especially hidden from the view of enforcement authorities and society, such as domestic servants and child prostitutes. These children, usually separated from their families, often suffer the worst exploitation.

The magnitude of the global child labor problem has grabbed the attention of the international community over the past few years, provoking worldwide discussion of the issue. This represents an important change from a decade ago, when few governments or organizations even acknowledged the problem. Today, numerous international organizations, governments in developing and industrialized countries, and nongovernmental actors are developing and implementing strategies and initiatives to address child labor.

B. The Importance of Reliable Child Labor Data

Accurately identifying the extent of child labor within a country is an essential step towards the development of effective strategies for eliminating and preventing the problem. As discussed in Chapter II, there is a great need for reliable child labor data—not only to assist governments in developing solutions but also to enable them to monitor progress. Significant problems in the collection and reporting of child labor data remain, but with the assistance of the International Labor Organization (ILO), efforts are now underway to improve data quality.

Some of the efforts being undertaken by individual countries to improve the accuracy of child labor data include:

- conducting specialized national child labor surveys with the assistance of the ILO;
- using standard definitions and methodology for collecting and reporting child labor data, based on those developed by the ILO's SIMPOC program and tested in several countries; and
- institutionalizing the regular collection of child labor data by integrating a child labor component into periodic labor force surveys.

C. Enactment and Enforcement of Child Labor Laws

As described in Chapter III, all 16 countries studied for this report have laws prohibiting certain forms of work by children under a specified age and regulating the conditions of work for older children. Many of these countries have also ratified a number of international instruments addressing child labor, including ILO Convention No. 138 (Minimum Age for Employment) and the U.N. Convention on the Rights of the Child (CRC).

Chapter III outlined the basic and hazardous minimum work ages in each of the 16 countries, while Appendix D identified relevant child labor provisions in the laws of each of these countries. The minimum age for employment in these countries varies from 12 (**Bangladesh**, **Peru**, and **Tanzania**) to 16 years (**Kenya**). In some countries, there is one basic minimum work age, while in others, there are several age standards, depending on the industry or sector. Child labor legislation often applies only to certain sectors or exempts entire industries or occupations. The sectors most frequently excluded are those where the highest numbers of working children are found, such as small-scale agriculture, domestic service, and small-scale manufacturing. For example, in **Kenya**, the minimum work age of 16 years applies only to certain industrial undertakings. Likewise, in **India** and **Pakistan**, the minimum work age of 14 applies only to certain specified occupations and processes. In **Nepal**, the minimum work age of 14 does not apply to certain enterprises, such as plantations and brick kilns. Exceptions are also made in some countries for apprenticeships or educational work. In **Brazil**, for example, children under 14 are prohibited from working, except as apprentices. Employers sometimes use such exceptions to exploit children as a source of cheap and compliant labor.

All 16 countries studied have a minimum age for hazardous work, varying by country from 12 to 21 years. Some countries have a single minimum age for hazardous work, while others specify several such ages, depending on the type of work.

Some countries have a multitude of laws addressing child labor, often spanning decades, that may be inconsistent with one another or confusing to implement and enforce. In addition, inadequate fines and penalties for child labor law violations often undermine their overall effectiveness.

One of the most serious issues relating to child labor laws is their inadequate enforcement by many governments. In many countries, labor inspection is not a priority. Labor inspectorates often lack the vital resources and staff needed to reach remote areas and effectively monitor the child labor situation. Inspectors often receive little training, if any, and are often poorly paid, making them an easy target for corruption. In addition, they may not be motivated to enforce child labor laws if they do not perceive the employment of children as a problem, or believe that it is a necessary ill for many indigent families. Inspectors who do attempt to enforce labor laws may be faced with public indifference and hostility from employers.

A number of countries studied (including **Bangladesh**, **Brazil**, the **Philippines**, **South Africa**, and **Thailand**) have recently made or are considering changes to their child labor laws, including increasing the minimum age for employment, adopting uniform child labor regulations, and expanding coverage of child labor laws to additional sectors or occupations. Some countries (such as **Brazil**, **Kenya**, **Mexico**, the **Philippines**, **Tanzania**, and **Turkey**) are focusing on strengthening enforcement by increasing the number of labor inspectors, improving training, or implementing new strategies.

The fact that large numbers of children are still working, many under exploitative or hazardous conditions, indicates that significant action in the area of law and enforcement is urgently needed. Some countries faced with considerable numbers of child laborers are now taking steps to address shortcomings in their legislation and enforcement. Possible efforts in this area include:

- consolidating child labor laws and regulations in order to eliminate inconsistencies and confusion;
- increasing the legal age of employment to conform with international standards;
- increasing civil and criminal penalties for violators of child labor laws;
- improving training of labor inspectors, providing additional resources for investigations, and creating specialized inspection units that deal with child labor issues;
- developing partnerships with industry, labor groups, and NGOs to assist in identifying and preventing the exploitation of children; and

- increasing public awareness about child labor by informing the public about applicable child labor laws and penalties.

D. Access to Universal Primary Education

Universal primary education, as noted in Chapter IV, is widely recognized as an important means of preventing and eliminating child labor. No country can successfully end child labor without making education compulsory and accessible to all. Children who are required to attend school are less likely to be engaged in exploitative work and are more likely to be informed of their rights. Education, over time, can provide children with the skills and knowledge necessary to become productive adults and improve their employment and earnings prospects. Despite the obvious benefits of education, tens of millions of children do not attend school. Most of these children are working.

Twelve of the 16 countries studied for this report have national laws making primary education compulsory (**Bangladesh**, **Brazil**, **Egypt**, **Guatemala**, **Mexico**, **Nicaragua**, **Peru**, the **Philippines**, **South Africa**, **Tanzania**, **Thailand,** and **Turkey**). The number of required years of schooling varies by country, from five (**Bangladesh**) to 11 years (**Peru**). Several countries, including **Egypt**, **South Africa**, and **Turkey**, have also recently passed laws extending their years of compulsory education.

In several of the countries studied for this report, the age for completion of compulsory education is not consistent with the minimum age of employment. When the minimum age for work is lower than the age for completing compulsory education, children might be compelled to abandon or neglect their studies and enter the workforce. In the opposite case, when the minimum work age is higher than that for completing compulsory education, children who are unable to continue their education must either remain idle or work illegally, thereby making illegal child labor more commonplace and acceptable.

In many countries, primary education is neither compulsory nor affordable. Schools are frequently not available or accessible to all children. Even when schools are available, the quality of education may be poor and the content may be perceived by many children and their families as irrelevant to their lives. For poor families who depend on their children's earnings to make ends meet, the opportunity cost of sending their children to school is often seen as too high. Parents' reluctance to send their children to school is often exacerbated by the various costs of education, including school fees, supplies, books, uniforms, meals, and transportation.

In the 16 countries studied for this report, significant numbers of children are not going to school. The most recent country data on educational attainment shows that less than 70 percent of children are enrolled in or attending primary school in five of the countries studied (**Guatemala**, **India**, **Nepal**, **Pakistan**, and **Tanzania**). In seven of the countries, less than 70 percent of children enrolled in primary school reach the fifth grade (**Bangladesh**, **India**, **Kenya**, **Nepal**, **Nicaragua**, **Pakistan**, and **South Africa**).

Government spending on education varies widely among the 16 countries studied. Data on education spending by country for the most recent available year (1990 to 1997) shows that public expenditures on education as a percentage of GNP range from 1.7 percent (**Guatemala**) to 7.9 percent (**South Africa**). Education spending as a percentage of total government expenditures ranges from under 10 percent (**Bangladesh** and **Pakistan**) to over 20 percent (**Mexico** and **South Africa**), and primary school spending as a percentage of total public education expenditures ranges from 18 percent (**Peru**) to over 65 percent (**Egypt** and **Nicaragua**).

Access to education is often not equitable. Children in rural areas and those belonging to marginalized groups are frequently more affected by a lack of adequate educational infrastructure. Rural children are also more likely to work. Indeed, work can constitute a major impediment to children's attendance and successful completion of primary school. Working children have low enrollment and high absentee and dropout rates. These rates may be attributable to fatigue from long hours of labor, work related injuries and illnesses, and/or work schedules that are incompatible with school hours.

Some of the countries studied (**Brazil**, **Egypt**, the **Philippines**, and **Turkey**) have developed initiatives to make schools more accessible and improve the quality of primary education. Other countries (**Guatemala**, **India**, **Mexico**, **Nicaragua**, **Peru**, and the **Philippines**) are implementing programs that provide alternative educational opportunities for working children or ease their transition from work to school. Finally, some countries (**Bangladesh**, **Brazil**, **Egypt**, **Mexico**, and **South Africa**) are providing incentives to encourage families to send their children to school rather than to work.

While the impact of these policies and programs can only be assessed by future increases in the number of children attending and completing school, they provide an important indication of the level of government commitment to the provision of universal primary education in the 16 countries studied for this report. Steps that countries can take to accomplish this goal include:

- passing legislation making primary education compulsory for all children;
- increasing educational expenditures at the primary level to increase school accessibility and the quality of instruction (for example, enabling construction of new schools, improving existing infrastructure, and authorizing increases in teacher salaries and training);
- alleviating the costs associated with education that can prevent poor families from sending their children to school by providing transportation, subsidizing the costs of school meals, uniforms, supplies, and books, and eliminating school fees; and
- eliminating inconsistencies between child labor and compulsory education laws.

E. Targeted Child Labor Initiatives

As Chapter V described, numerous targeted initiatives are now being implemented or advanced by governments to remove children from exploitative work and provide them with educational opportunities. These targeted child labor projects are being implemented by a wide range of actors, including NGOs, international organizations, trade unions, employer associations, and the media. Indeed, international organizations such as the ILO and UNICEF are playing an instrumental role in combating child labor in many countries.

The targeted initiatives discussed in Chapter V facilitate and complement efforts in law and enforcement and education. While the projects described in Chapter V focus on efforts implemented or advanced by governments, it is important to note that numerous NGOs around the world are independently undertaking significant initiatives to prevent and reduce child labor. The importance and value of such efforts cannot be overstated. In some instances where governments have failed to prevent adequately the exploitation of children, nongovernmental actors are playing major roles in helping working children and their families. Ultimately, however, governments have the greatest responsibility for eliminating child labor as well as the broadest resources for addressing the problem.

Several of the targeted child labor projects described not only remove children from exploitative work situations, but also provide supportive services such as educational opportunities for the children and income generation alternatives for their families. Often such multi-faceted and comprehensive programs are the most effective in eliminating and preventing the exploitation of children. Public awareness and education campaigns can also play an essential role. Because child labor is a complex problem, requiring comprehensive solutions, the participation of all social actors—including families, public officials, labor unions, industry groups, NGOs, and the international community—is necessary.

Chapter V provided an illustration of the types of efforts now underway to remove children from exploitative work. Many of these projects focus on eliminating child labor in a particular industry or sector, while some combat child labor in many sectors and areas. These projects vary in size, scope, and emphasis. In agriculture, projects described include initiatives to remove children from work in **Tanzania's** tea estates and tobacco farms, **Brazil's** sisal plantations, and **Mexico's** fruit and vegetable farms, as well as programs to eliminate rural bonded child labor in **Nepal** and **Turkey**. In manufacturing, projects described include initiatives in the **Bangladeshi** garment industry, the soccer ball industry of **Pakistan**, **Nepal's** carpet industry, and **Brazil's** shoe industry. A project to reduce child labor in the brick making and stone quarrying industries in **Peru** is also described. Finally, several efforts targeting child domestic workers, child commercial sex workers, trafficked children, and children living and working on urban streets in **Brazil**, **Kenya**, **Nepal**, **Nicaragua**, **Peru**, the **Philippines**, **Thailand**, and **Turkey** are described.

Chapter V also described several multi-sectoral initiatives to combat child labor through the rescue, removal, and rehabilitation of children from exploitative work. These initiatives include projects in **Brazil** to stop children in rural areas from working and assure that they attend school on a regular basis, in **India** to establish nonformal schools and release thousands of children from hazardous work, and in the **Philippines** to rescue children from exploitative work.

Key elements of targeted child labor projects include:

- targeting child labor in sectors or occupations that are hazardous and harmful to a child's development;
- removing children from exploitative work and providing them with alternatives, such as education or vocational training;
- providing income-generating opportunities for families of former child laborers;
- establishing partnerships among governmental and nongovernmental actors and international organizations such as the ILO and UNICEF and drawing on participants' respective expertise and resources; and
- raising awareness among vulnerable groups about children's rights and the dangers of premature entry into the workforce.

F. Final Comments

This report has attempted to illustrate the extent to which the 16 countries are currently addressing their child labor situations through the enactment and enforcement of child labor laws, the provision of universal primary education, and the development of and involvement in targeted child labor initiatives. A government's participation in such efforts can provide an indication of its commitment to combating child labor. Accurately determining the extent and nature of child labor within each country is also essential in adequately addressing the child labor problem.

There has been a significant increase in international concern regarding the plight of working children around the world. Many countries with child labor problems have not only acknowledged the problem but have begun to develop and implement comprehensive strategies to combat the exploitation of children. International organizations such as the ILO and UNICEF are heavily involved in such efforts. It is important, however, to monitor and measure the effectiveness of these efforts, since successful strategies can and should be replicated elsewhere.

The information provided in this report can serve as a framework for further study and evaluation of the progress being made toward eliminating child labor in the countries studied. Ultimately, the best way to determine such progress is by documenting a reduction in the overall number of working children and an increase in the percentage of children attending school and completing at least a primary education.

Appendix A: Site Visits

In February through June of 1998, Department of Labor officials visited 16 countries—Bangladesh, Brazil, Egypt, Guatemala, India, Kenya, Mexico, Nepal, Nicaragua, Pakistan, Peru, Philippines, South Africa, Tanzania, Thailand, Turkey—to conduct research for this report. The following is a list of the Department of Labor officials who conducted the site visits and the meetings held during their trips:

1. **Bangladesh**	Howard R. Dobson, International Economist Office of International Economic Affairs Bureau of International Labor Affairs
2. **Brazil**	Marcia M. Eugenio, International Program Specialist International Child Labor Program Bureau of International Labor Affairs
	Mark A. Mittelhauser, Economist Office of Employment Projections Bureau of Labor Statistics
3. **Egypt**	Sudha K. Haley, Area Advisor for South Asia, Near East and North Africa, Office of Foreign Relations Bureau of International Labor Affairs
4. **Guatemala**	Gary Russell, International Economist Office of Foreign Relations Bureau of International Labor Affairs
5. **India**	Robert B. Shepard, Area Advisor for East Asia and the Pacific, Office of Foreign Relations Bureau of International Labor Affairs
	Alison Smith, International Manpower Advisor Office of Foreign Relations Bureau of International Labor Affairs
6. **Kenya**	Kelly W. Bryant II, International Economist Office of International Economic Affairs Bureau of International Labor Affairs
7. **Mexico**	Maureen E. Jaffe, Assistant Director International Child Labor Program Bureau of International Labor Affairs
8. **Nepal**	Stephen W. Marler, International Program Analyst Office of Foreign Relations Bureau of International Labor Affairs

9. Nicaragua	Robert D. Wholey, Area Advisor for Latin America and the Caribbean, Office of Foreign Relations Bureau of International Labor Affairs
10. Pakistan	Sonia A. Rosen, Director International Child Labor Program Bureau of International Labor Affairs
11. Peru	Teresa Hurlburt, International Economist International Child Labor Program Bureau of International Labor Affairs
12. Philippines	Gregory K. Schoepfle, International Economist Office of International Economic Affairs Bureau of International Labor Affairs
13. South Africa	Sydney E. Smith, International Program Development Officer, Office of Foreign Relations Bureau of International Labor Affairs
14. Tanzania	Kelly W. Bryant II, International Economist Office of International Economic Affairs Bureau of International Labor Affairs
15. Thailand	Sonia A. Rosen, Director International Child Labor Program Bureau of International Labor Affairs
16. Turkey	Roger Kramer, Director, Division of Immigration Policy and Research Office of International Economic Affairs Bureau of International Labor Affairs

Bangladesh
List of Meetings

Government	Ministry of Labor *(Dhaka)* Ministry of Commerce, Office of the Joint Secretary *(Dhaka)* Ministry of Education, Directorate of Non-Formal Education, Primary and Mass Education Division *(Dhaka)* Bangladesh Bureau of Statistics *(Dhaka)*
Worker Organizations	American Center for International Labor Solidarity, AFL-CIO *(Dhaka)* Bangladesh Independent Garment Workers Union Federation (BIGUF) *(Dhaka)*
Employers/ Trade Associations	Alana Group *(Dhaka)* Aparupa Garment Industries, Ltd. *(Dhaka)* Aqua Resources Limited *(Dhaka)* Bangladesh Garment Manufacturers and Exporters Association *(Chittagong, Dhaka)* C.A. Hamid Group of Companies *(Dhaka)* Frank Group of Companies *(Dhaka)* Meenhar Sea Foods, Ltd. *(Chittagong)* Nova Apparels, Ltd. *(Dhaka)* Serajsons Garments Limited *(Dhaka)*
International Organizations	International Labor Organization *(Dhaka)* UNICEF *(Dhaka)*
NGOs	Association for Realization of Basic Needs (ARBAN) *(Dhaka)* Azad Muslim Welfare Complex *(Dhaka)* Bangladesh National Woman Lawyers Association *(Dhaka)* Bangladesh Rehabilitation Center for Trauma Victims (BRCT) *(Dhaka)* Bangladesh Shishu Adhikar Forum (BSAF) *(Dhaka)* Bangladesh Rural Advancement Committee (BRAC) *(Dhaka)* Coordinating Council for Human Rights in Bangladesh *(Dhaka)* Gano Shahajiya Sangstha (GSS) *(Dhaka)* Nayan Action Foundation (NAF) *(Dhaka)* Shoishab *(Dhaka)* Surovi - Child Welfare Organization *(Dhaka)* Underprivileged Children's Educational Programs (UCEP) *(Chittagong, Dhaka)*

Other

Therese Blanche, Anthropologist *(Dhaka)*
Dr. M.A. Quasem, Professor, Bangladesh Institute for Development Studies *(Dhaka)*
The Daily Star *(Dhaka)*

Brazil
List of Meetings

Government

Senator Eduardo Matarazzo Suplicy *(Brasília)*
Representative Lucia Souto *(State Government of Rio de Janeiro)*
Ana Jensen, Civil Cabinet Secretary *(State Government of Rio de Janeiro)*
Judge Diogenes Barreto *(Boquim, Sergipe)*
Federal Ministry of Labor *(Brasília)*
Federal Public Ministry of Labor *(São Paulo, Mato Grosso do Sul)*
Federal Ministry of Education and Sports *(Brasília)*
Federal Ministry of External Relations *(Brasília)*
Office of the Governor *(Federal District of Brasília)*
Department of Education of the Federal District *(Brasília)*
Federal Ministry of Welfare and Social Assistance *(Brasília,Cabo do Santo Agostinho, Aracaju, Salvador)*
Brazilian Institute of Geography and Statistics (IBGE) *(Rio de Janeiro)*
Cabo de Santo Agostinho Mayor's Office *(Pernambuco)*
Campo Grande Mayor's Office *(Mato Grosso do Sul)*
Department of Education and Culture *(Araraquara, São Paulo)*
Foundation for Children and Adolescents (FIA) *(Rio de Janeiro)*
Foundation for Social Welfare (PROMOSUL) *(Campo Grande, Mato Grosso do Sul)*
Municipal Commission on the Eradication of Child Labor *(Ribas do Rio Pardo, Mato Grosso do Sul)*
Municipal Council for the Rights of Children and Adolescents *(Araraquara, São Paulo)*
Municipal Foundation for Infancy and Youth *(Campos dos Goytacazes, Rio de Janeiro)*
State Commission on Child Labor *(Aracaju, Sergipe)*
State Department of Industry, Commerce, and Tourism *(Aracaju, Sergipe)*
State Department of Labor and Social Action *(Aracaju, Sergipe)*
State Department of Labor and Social Action *(Recife, Pernambuco)*
Tutelar Council *(Campos dos Goytacazes, Rio de Janeiro)*
Unit for Combating Child Labor and Protecting Adolescent Workers *(Rio de Janeiro, São Paulo)*

Worker Organizations

American Center for International Labor Solidarity, AFL-CIO *(São Paulo)*
Central Union of Workers (CUT) *(São Paulo)*
Federation of Agricultural Workers (FETRAGRI-MS) *(Mato Grosso do Sul)*
Federation of Agricultural Workers of Pernambuco (FETAPE) *(Recife, Pernambuco)*
National Confederation of Food and Agro-Industrial Workers (CONTAG) *(Brasília)*
National Union of Labor Inspectors (SINAIT) *(Brasília)*
Union of Citrus Workers of Sergipe *(Boquim, Sergipe)*
Union of Rural Workers of Cabo de Santo Agostinho *(Pernambuco)*
Union of Rural Workers of Itápolis and Borborema *(Itápolis, São Paulo)*
Union of Rural Workers of Retirolandia *(Retirolandia, Bahia)*
Union of Rural Workers of Ribas do Rio Pardo *(Mato Grosso do Sul)*

Employers/ Trade Associations

Brazilian Citrus Exporters Association (ABECitrus) *(São Paulo)*
Fund for the Protection of Citrus (Fundecitrus) *(Araraquara, São Paulo)*

International Organizations

International Labor Organization *(Brasília)*
UNICEF *(Brasília, São Paulo, Salvador, Recife)*

NGOs

Abrinq Foundation for Children's Rights *(São Paulo)*
Brazilian Institute of Municipal Administration (IBAM) *(Rio de Janeiro)*
Center for the Defense of Children and Adolescents (CEDECA) *(Salvador, Bahia)*
Childhope - Brazil *(Rio de Janeiro)*
Federation of Social Assistance and Education Organizations *(Rio de Janeiro, Recife)*
Forum DCA *(Brasília)*
Global March Against Child Labor *(Brasília)*
Movement of Community Organizations (MOC) *(Feira de Santana, Bahia)*
News Agency for Children's Rights (ANDI) *(Brasília)*
Passage House Project *(Recife, Pernambuco)*
Partners of the Americas/POMMAR Project *(Recife, Pernambuco)*
Projecto AXÉ *(Salvador, Bahia)*
Projecto Desafio *(Campos dos Goytacazes, Rio de Janeiro)*

Other

Folha de São Paulo *(São Paulo)*
Institute of Special Studies - Catholic University of São Paulo (IEE-PUC) *(São Paulo)*
Popular University of Baixada *(Rio de Janeiro)*
Revista IstoÉ *(São Paulo)*
The Wall Street Journal *(Rio de Janeiro)*

Egypt
List of Meetings

Government	Ministry of Education *(Cairo)* Ministry of Foreign Affairs *(Cairo)* Ministry of Manpower and Migration *(Nasr City)* Ministry of Social Affairs Productive Family Project, *(Cairo, Dokki)* Vocational Training Centers, *(Giza, Mit Kardak)* National Council for Childhood and Motherhood *(Cairo)* Woman and Child Research Unit, Central Agency for Public Mobilization and Statistics (CAPMAS) *(Nasr City)*
Worker Organizations	Egyptian Trade Union Federation (ETUF) *(Cairo)*
Employers/ Trade Associations	American Chamber of Commerce in Egypt *(Alexandria, Cairo)* INGYCO Agencies *(Alexandria)* INDCONSULT *(Cairo)* Public Interest Corporation *(Giza)* Hoda Abdel-Hady and Partners *(Alexandria)* Silk in Silk *(Mohandesseen)*
International Organizations	International Labor Organization *(Cairo, Manshiyat El-Nasr, Shoubra El-Kheima, Zamalek)* UNICEF *(Garden City)*
NGOs	Al-Geel Center for Youth and Social Studies *(Cairo)* Alexandria Maritime Boy Scouts *(Alexandria)* American-Mideast Educational and Training Services, Inc. (AMIDEAST) *(Garden City)* Arab Council for Childhood and Development *(Cairo)* Association for Upper Egypt for Education and Development *(Cairo)* Cairo Air Improvement Project *(Cairo)* Caritas *(Alexandria, Cairo, Shubra)* Coptic Evangelical Organization for Social Services (CESS) *(Minya)* International Center for Boy Scouts *(Nasr City)* Integrated Care Society *(Alexandria, Karmouz)* Legal Resource and Research Center for Human Rights *(Heliopolis)* Literacy Project *(Cairo)* The Future Society for the Handicapped *(Alexandria, Smouha)*
Other	The American University of Cairo *(Cairo)* Cairo University *(Giza)*

Guatemala
List of Meetings

Government	Ministry of Labor and Social Welfare *(Guatemala City)* Alvarez Pacheco, Deputy, Congressional Labor Commission National Congress *(Guatemala City)* Judge Eduardo Leonel Esquivel Portillo, Second Labor Court *(Guatemala City)* National Youth Council *(Guatemala City)* President's Secretary of Social Well-Being *(Guatemala City)*
Worker Organizations	Guatemala Central Workers Union (CGTC) *(Guatemala City)* Guatemala Confederation for Union Unity *(Guatemala City)* U.S./Guatemala Labor Education Project (US/GLEP) *(Guatemala City)*
Employers/ Trade Associations	Association of Non-Traditional Products Exporters (AGEXPRONT) *(Guatemala City)* National Coffee Association (Anacafé) *(Guatemala City)* Mosquera and Ricci - Attorneys and Notaries *(Guatemala City)* Modas Samdo S.A. *(Guatemala City)*
International Organizations	Friedrich Ebert Stiftung *(Guatemala City)* International Labor Organization *(Guatemala City)* UNICEF *(Guatemala City)*
NGOs	Childhope, Childrens Hope Foundation *(Guatemala City)* Support Program for Maternal and Child Health and for the Health of Other Vulnerable Groups *(Guatemala City)* Education Program of the Boy, Girl, and Adolescent Worker (PENNAT) *(Guatemala City)*
Other	Tomás Offit, Researcher, Tulane University, Department of Anthropology *(Guatemala City)*

India
List of Meetings

Government

Ministry of Labor *(New Delhi)*
Kerala Ministry of Labor *(Trivandrum)*
Kerala Ministry of Education *(Trivandrum)*
Tamil Nadu Department of Labor and Employment *(Chennai)*
Uttar Pradesh Ministry of Labor *(Kanpur)*
Andhra Pradesh Department of Social Welfare *(Hyderabad)*
National Human Rights Commission *(New Delhi)*
V.V. Giri National Labour Institute *(Noida)*

Worker Organizations

All India Trade Union Council (AITUC) *(Tiruppur)*
Bharatia Mazdoor Sangh (BMS) *(New Delhi)*
Center of Indian Trade Union (CITU) *(Tiruppur)*
Indian National Trade Union Congress (INTUC) *(New Delhi)*
Indian Federation of Working Journalists *(New Delhi)*

Employers/ Trade Associations

All India Organization of Employers *(New Delhi)*
Amalgam Group Companies/Amalgam Investments *(Cochin)*
Carpet Export Promotion Council *(New Delhi)*
Council for Leather Exports *(Agra, Mumbai, New Delhi)*
Employer Federation of Tamil Nadu *(Chennai)*
ESKAY Exports *(Tiruppur)*
The Gem and Jewellery Export Promotion Council *(Jaipur, Mumbai)*
Hindustan Diamond Company Limited *(Mumbai)*
Innovative Marine Foods Ltd. *(Cochin)*
Inter Gold (India) Limited *(Mumbai)*
Jaykay Cement Works *(Kanpur)*
Maliks Traders *(Mumbai)*
Maxwel Exporters *(Meerut)*
Meridian Trading *(Mumbai)*
Metro and Metro *(Agra)*
Neelam Glass Works *(Firozabad)*
Park Exports *(Agra)*
S. Gopal Industries - Manufacturers and Exporters *(Firozabad)*
Sanspareils Greenlands Ltd. *(Meerut)*
Shoe Tecnik Corporation - Crescent Tanners Pvt. Ltd. *(Kanpur)*
Subir Diamonds Ltd. *(Mumbai)*
Tamil Nadu Fireworks Manufacturers Association (TANFAMA) *(Sivikasi)*

TATA Exports Limited *(Mumbai)*
Torry Harris Seafood, Ltd. *(Cochin)*
Uttar Pradesh Small Industries Corporation *(Kanpur)*
V. Rameshchandra and Co. *(Mumbai)*
Zam Zam Tanners *(Kanpur)*

International Organizations

International Labor Organization *(New Delhi)*
UNICEF *(Chennai, New Delhi)*

NGOs

AADHAR - Welfare Society *(Agra)*
Campaign Against Child Labour *(Mumbai)*
CEDA TRUST *(Dindigal)*
Center for Social Education and Development (CSED) *(Coimbatore, Avinashi)*
Center for Street and Working Children *(Chennai)*
Centre of Concern for Child Labour *(New Delhi)*
Indian Environmental Society *(New Delhi)*
Indian Society of Biosciences and Environment *(Kanpur)*
Institute for Environmental Projects *(Firozabad)*
Lok Shiksha Sansthan *(Jaipur)*
MV Foundation *(Ranga Reddy District)*
National Child Labor Program School *(Sivikasi)*
Peace Trust School *(Dindigal)*
People's Watch (A Network toward Human Rights Monitoring Research and Documentation) *(Madurai)*
Quarry Workers Development Society *(Dindigal)*
REAL (Rural Education and Action for Liberation) *(Dindigal)*
RUGMARK® *(New Delhi)*
Swestic *(Dindigal)*
U.P. Voluntary Health Association *(Lucknow)*
World Vision of India *(New Delhi)*

Other

DBS College, Department of Zoology, Ganga Institutional and Community Development Project (ICDP) *(Kanpur, Motijheel)*
Dr. B.N. Juyal *(Varanasi)*
JPS Associates - Management Consultants *(Kanpur)*
Kanchan Mathur, Institute for Development Studies *(Jaipur)*
S. Annamalai, Chief of Bureau, The Hindu *(Madurai)*

141

Kenya
List of Meetings

Government	Ministry of Labour and Manpower Development *(Nairobi)* Ministry of Education *(Nairobi)* Kenyan Central Statistical Division *(Nairobi)*
Worker Organizations	American Center for International Labor Solidarity, AFL-CIO *(Nairobi)* Banking Insurance and Finance Union (K) *(Nairobi)* Central Organization of Trade Unions (COTU) *(Nairobi)* International Confederation of Free Trade Unions AFRO (Africa Regional Headquarters) *(Nairobi)* Kenya Plantation and Agricultural Workers Union *(Nairobi, Nakuru)* Kenya Union of Domestic, Hotels, Educational Institutions, Hospitals and Allied Workers (Kudheiha Workers) *(Nairobi)*
Employers/ Trade Associations	Federation of Kenya Employers *(Nairobi)* Alhhega Estate *(Nairobi)* Jordache Corporation *(Nairobi)* Kiamara Coffee Estate *(Nairobi)*
International Organizations	International Labor Organization *(Nairobi)* UNICEF *(Nairobi)*
NGOs	African Network for the Prevention and Protection Against Child Abuse and Neglect (ANPPCAN) *(Nairobi)* Children and Conflict in Africa *(Nairobi)* Global March Against Child Labor *(Nairobi, Namanga)* Women and Child Labour Resource Centre (SINAGA) *(Nairobi)*

Mexico
List of Meetings

Government

Federal Ministry of Labor and Social Welfare (STPS) (*Mexico City*)
Federal Ministry of Education (SED) (*Mexico City*)
Federal Ministry of Social Development, National Farmworkers' Program (PRONJAG) (*Culiacán, Mexico City, San Quintín)*
National System for the Integral Development of the Family (DIF) (*Mexico City*)
Juan Moisés Calleja Castañón, Chairman of Labor Committee, Federal Chamber of Deputies *(Mexico City)*
Diego Aguilar Acuña, Federal Deputy for Sinaloa *(Mexico City)*
Sinaloa State Ministry of Labor and Social Welfare (*Culiacán)*
Sinaloa State Ministry of Social Development (*Culiacán)*
Sinaloa State System for the Integral Development of the Family (DIF) (*Culiacán*)
Baja California State System for the Integral Development of the Family (DIF) (*Tijuana, Ensenada*)
Baja California State Ministry of Labor and Social Welfare *(Tijuana, Mexicali)*
Tijuana Committee of Municipal Planning and Development (COPLADEM) (*Tijuana*)
Baja California State Ministry of Social Development (*Mexicali*)
Baja California State Governors Office (*San Quintín*)

Employers/ Worker Organizations

Confederation of Mexican Workers (CTM) *(Mexico City)*
Sinaloa Confederation of Growers' Associations (CAADES) (*Culiacán*)

Trade Associations

Agrícola Pony Farm (*Sinaloa*)
Agrícola Portillo Farm (*Sinaloa*)
El Campo San Isidro Farm (*Sinaloa*)
Costa Sur Regional Committee on Vegetable Sanitation (*San Quintín, Baja California*)
Lomas de Jaramillo Farm (*San Quintín)*
Los Grillos Farm (*San Quintín*)
Rancho Seco Farm (*San Quintín*)

International Organizations

International Labor Organization (*Mexico City*)
UNICEF (*Mexico City*)

NGOs

Foundation for the Protection of Children (*Tijuana*)
Mexican Collective for the Support of Children (COMEXANI) (*Mexico City*)
Minors in Recuperation (MERAC) (*Tijuana*)
National Association of Democratic Lawyers *(Mexico City)*
YMCA Home for Migrant Children (*Tijuana*)

Other

Institute of Social Research, Autonomous University of Baja California (*Mexicali*)
Professor María Teresa Guerra Ochoa, Autonomous University of Sinaloa (*Culiacán*)

Nepal
List of Meetings

Government	Ministry of Labor *(Kathmandu)* Ministry of Education, Basic and Primary Education Project (BPEP-JGF) *(Kathmandu)* Ministry of Women and Social Welfare *(Kathmandu)* Department of Land Reform *(Kathmandu)* Nepal Police *(Kathmandu)*
Worker Organizations	General Foundation of Nepalese Trade Unions (GEFONT) *(Kathmandu)*
International Organizations	International Labor Organization *(Kathmandu)* UNICEF *(Kathmandu)*
NGOs	ABC-Nepal *(Kathmandu)* Amnesty International Nepal *(Kathmandu)* Child Protection Center-Nepal *(Kathmandu)* Child Welfare Society *(Kathmandu)* Child Workers in Nepal *(Kathmandu)* Children at Risk-Network Group *(Kathmandu)* Concern-Nepal *(Kathmandu)* Group for International Solidarity *(Kathmandu)* Informal Sector Service Center (INSEC) *(Kathmandu)* INHURED International *(Lalitpur)* Maiti Nepal *(Kathmandu)* Nepal RUGMARK* Foundation *(Kathmandu)* National Society for Protection of Environment and Children (NASPEC) *(Kathmandu)* Rural Reconstruction Nepal (RRN) *(Kathmandu)* Save the Children *(Kathmandu)* The Asia Foundation *(Kathmandu)*
Other	SGS (Société Générale de Surveillance) Nepal Pvt. Ltd. *(Kathmandu)*

Nicaragua
List of Meetings

Government

Ministry of Labor *(Managua)*
Ministry of Education *(Managua)*
Ministry of Health *(Managua)*
Ministry of Social Action *(Managua)*
Managua Municipal Market Corporation *(Managua)*
National Assembly Labor Commission *(Managua)*
National Commission for the Eradication of Child Labor *(Managua)*
Nicaraguan Fund of the Child and the Family (FONIF) *(Managua)*
Condega Mayor and Municipal Children's Commission *(Condega)*
Esteli Municipal Secretary *(Esteli)*

Worker Organizations

General Confederation of Action and Trade Union Unity *(Managua)*
General Confederation of Labor - Independent *(Managua)*
Center of Workers of Nicaragua - Autonomous *(Managua)*
Sandinista Center of Workers *(Managua)*

Employers/ Trade Associations

Nicaraguan Coffee Growers Association *(Managua)*
Corporation of Free Zones *(Managua)*
Nicaragua American Tobacco S.A. *(Esteli)*
San Pedro Arelanes Tobacco Farm *(Condega)*
Segovia Cigar S.A. *(Esteli)*

International Organizations

International Labor Organization *(Managua)*
UNICEF *(Managua)*

NGOs

Association "Maria Barreda" *(Leon)*
Catholic Relief Services *(Managua)*
Coordinating Council of Child Labor NGOs *(Managua)*
Foundation for the Integral Development of Indigenous Women of Sutiava "Xochilt Acalt" *(Leon)*
Group of Women - "Maria Elena Cuadra" *(Managua)*
Institute of Human Promotion *(Managua)*
Nicaraguan Center for Labor Studies *(Managua)*
Nicaraguan Association Pro-Human Rights *(Managua)*
Permanent Commission of Human Rights of Nicaragua *(Managua)*
Save the Children-USA *(Managua)*
Save the Children-Canada *(Managua)*
Save the Children-Norway *(Managua)*

Save the Children-Sweden *(Managua)*
Two Generations *(Managua)*
"Yes to Life" *(Managua)*

Pakistan
List of Meetings

Government	Ministry of Labour, Manpower and Overseas Pakistanis *(Islamabad)* Punjab Ministry of Labor and Manpower *(Lahore)* Punjab Directorate of Labour Welfare *(Lahore)* Export Promotion Bureau *(Lahore)* Pakistan Bait-ul-Mal *(Lahore)*
Worker Organizations	All Pakistan Federation of Trade Unions *(Lahore)*
Employer/ Trade Associations	Pakistan Carpet Manufacturers and Exporters Association *(Lahore)*
International Organizations	International Labor Organization *(Islamabad, Lahore, Sialkot)* UNICEF *(Islamabad, Lahore)*
NGOs	Ali Institute of Education *(Lahore)* Bunyad-Literacy Community Council *(Lahore)* Child Care Foundation of Pakistan *(Lahore)* Human Rights Commission of Pakistan *(Lahore)* RUGMARK® Pakistan *(Lahore)* Save the Children *(Islamabad)* Society for the Protection of the Rights of the Child (SPARC) *(Islamabad)* Sudhaar *(Lahore)* Vision *(Lahore)*
Other	Sialkot Soccer Ball Project School *(Sialkot)* Training and Education for Carpet-Weaving Children (TECC) School *(Lahore)*

Peru
List of Meetings

Government	Ministry of Labor and Social Welfare *(Lima)* Ministry of Education *(Lima)* Ministry of Health *(Lima)* Ministry of Interior, Child and Adolescent Division *(Lima)* Ministry for the Promotion of Women and Human Development, (PROMUDEH), National Institute for Family Welfare *(Lima, Cusco)* Congressional Commission on Human Rights and Peace *(Lima)* Congressional Commission on Labor and Social Security *(Lima)* Congressional Committee on Women, Human Development, and Sports *(Lima)* Miraflores Municipal Police *(Lima)* National Institute of Statistics and Computing *(Lima)*
Worker Organizations	American Center for International Labor Solidarity, AFL-CIO *(Lima)* Federation of Petroleum Workers (FETRAPEP) *(Lima)* International Federation of Unions of Chemical, Energy, Mine, and Diverse Industries Workers (ICEM) *(Lima)* National Federation of Mine and Metallurgic Workers *(Lima)* Unitary Union of Petroleum Workers *(Lima)*
Employers/ Trade Associations	Mollehuaca Mining Community, S.A. *(Arequipa, Lima)* National Society of Industries *(Lima)*
International Organizations	International Labor Organization *(Lima)* UNICEF *(Lima)*
NGOs	Association Qosqo Maki *(Cusco)* Center for Social Studies and Publications (CESIP) *(Lima)* Defense of Life Association (ADEVI) *(Lima)* Faith and Joy (*Fe y Alegria) (Lima)* Health and Work Institute *(Lima)* Labor Consulting Center (CEDAL) *(Lima)* Labor Development Association *(Lima)* National Initiative Group for the Rights of the Child (GIN) *(Lima)* Peruvian-Episcopalian Conference *(Lima)* Rädda Barnen (Swedish Save the Children) *(Lima)* Rights of the Child Coordinator (CODENI) *(Cusco)*

Philippines
List of Meetings

Government	Department of Labor and Employment *(Manila, Cebu City, Ormoc City, Davao City)*
	Department of Education, Culture and Sports *(Manila, Davao City, Kanaga)*
	Department of Interior and Local Government - Kanaga District *(Kanaga)*
	Department of Justice *(Manila)*
	Department of Social Welfare and Development *(Davao City, Kanaga)*
	Department of Trade and Industry *(Cebu City)*
	Cebu Investment Promotions Center *(Cebu City)*
	City Social Services and Development Office (CSSDO) *(Davao City)*
	Commission on Human Rights *(Manila, Davao City)*
	Office of the Mayor *(Kanaga)*
	Municipal Agriculture Office *(Kanaga)*
	National Statistics Office (NSO) *(Manila)*
	Philippine Information Agency *(Davao City)*
Worker Organizations	American Center for International Labor Solidarity, AFL-CIO *(Manila)*
	Associated Labor Unions-Trade Union Congress of the Philippines (ALU-TUCP) *(Davao City)*
	Confederation of Labor and Allied Social Services-Trade Union Congress of the Philippines (CLASS-TUCP) *(Manila)*
	Federation of Free Workers-World Confederation of Labor (FFW-WCL) *(Manila)*
	International Textile, Garment and Leather Workers Federation (ITGLWF) *(Manila)*
	The Philippine Labor-Unity Movement (PLUM)
	Federation of Industrial and Agrarian Workers *(Manila)*
	Philippine Public School Teachers Association (PPSTA) *(Manila)*
	Trade Union Congress of the Philippines (TUCP) *(Manila)*
Employer/ Trade Associations	Bishops-Businessmen Conference (BBC) *(Manila)*
	Employers Confederation of the Philippines (ECOP) *(Manila)*
	Philippine Chamber of Commerce and Industry *(Manila)*
International Organizations	Asian Development Bank *(Manila)*
	International Labor Organization *(Manila)*

UNICEF *(Manila)*
U.S. Agency for International Development *(Manila)*

NGOs

BBC Livelihood Foundation, Inc. *(Manila)*
Bidlisiw Foundation *(Cebu City)*
Children's Legal Bureau *(Cebu City)*
Christian Children's Fund *(Davao City)*
Education Research Development Assistance (ERDA) Foundation, Inc.-Philippines *(Manila)*
End Child Prostitution in Asian Tourism/End Child Prostitution, Child Pornography and the Trafficking of Children for Sexual Purposes (ECPAT) *(Cebu City, Manila)*
Fellowship for Organizing Endeavours (FORGE) *(Cebu City)*
International Catholic Child Bureau *(Manila)*
Kabiba Foundation, Inc. *(Davao City)*
Kamalayan Development Foundation, Inc. (KDF) *(Manila, Ormoc City)*
Kapatirang Gomburza/Caritas *(Manila)*
Kaugmaon: Center for Children's Concerns Foundation, Inc. *(Davao City)*
National Livelihood Support Fund (A Landbank Administered Fund) *(Manila)*
NORFIL Foundation, Inc. *(Cebu City)*
Outreach Program in Training, Integral Organizing and Networking for Solidarity, Inc. (OPTIONS) *(Cebu City)*
Pearl S. Buck Foundation *(Cebu City)*
Salinlahi Foundation, Inc.-Alliance for Children's Concerns *(Manila)*
Save the Children-UK *(Cebu City)*
Stairway Foundation *(Manila)*
Stop Abuse of Minors Association, Inc. (SAMA) *(Cebu City)*
Stop Trafficking of Filipinos Foundation, Inc. (S.T.O.P.) *(Manila)*
Visayan Forum Foundation, Inc. *(Manila)*
World Vision Development Foundation *(Manila)*

Other

Professors Portia Dacalos, Felisa Uy Etemadi, and Rosario Piquero-Ballescas, University of the Philippines *(Cebu City)*
Professor Elizabeth M. Remedio, University of San Carlos *(Cebu City)*
Professor Rosario S. del Rosario, University of the Philippines *(Manila)*

South Africa
List of Meetings

Government

Office of the President *(Pretoria)*
Department of Labor *(Pretoria)*
Department of Education *(Pretoria)*
South African Police Service (Sunnyside Precinct) *(Pretoria)*
Gauteng Education Department *(Johannesburg)*

Worker Organizations

American Center for International Labor Solidarity, AFL-CIO *(Johannesburg)*
Chemical Workers Industrial Union *(Johannesburg)*
COSATU *(Johannesburg)*
National Union of Metalworkers of South Africa *(Johannesburg)*
South African Agricultural, Plantation and Allied Workers Union *(Johannesburg)*

Employer/ Trade Associations

Business South Africa *(Johannesburg)*
South African Agricultural Union *(Pretoria)*
South African Chamber of Business *(Randburg)*
Steel and Engineering Industries Federation of South Africa *(Johannesburg)*

International Organizations

International Labor Organization *(Pretoria)*
UNICEF *(Cape Town)*

NGOs

Cape Town Child Welfare Society *(Cape Town)*
Cooperative for Research and Education *(Fordsburg)*
Network Against Child Labor *(Fordsburg)*
Ntombi Shelter for Girls *(Johannesburg)*
Orlando Children's Home *(Soweto)*
RAPCAN *(Cape Town)*
Streetwise Pretoria *(Pretoria)*

Other

Adelle Gordon, Independent Consultant *(Pretoria)*
Cheadle, Thompson and Haysom *(Cape Town)*
Community Agency for Social Enquiry *(Johannesburg, Observatory)*
Daurie Bosch, Independent Consultant *(Pretoria)*
Debbie Budlender, Independent Consultant *(Cape Town)*
National Institute for Public Interest Law *(Pretoria)*
University of Cape Town Industrial Health Research Group *(Rondebosch)*
University of Pretoria Center for Human Rights *(Pretoria)*
University of Pretoria Law School *(Pretoria)*

Tanzania
List of Meetings

Government	Office of the Prime Minister *(Dar es Salaam)*
	Ministry of Labor *(Dar es Salaam)*
	Ministry of Community Development, Womens Affairs and Children *(Dar es Salaam)*
	Ministry of Education *(Dar es Salaam)*
	Department of Local Government *(Dar es Salaam)*
	Department of Information Services *(Dar es Salaam)*
	Maudline Kastiko, Member of Parliament *(Zanzibar)*
Worker Organizations	Tanzania Plantation and Agricultural Worker's Union *(Dar es Salaam)*
	Tanzania Federation of Free Trade Unions (TFTU) *(Dar es Salaam, Zanzibar)*
Employer/ Trade Associations	Association of Tanzanian Employers (ATE) *(Dar es Salaam)*
	Association of Zanzibar Employers (AZE) *(Zanzibar)*
	Tanzania Tea Authority *(Dar es Salaam)*
International Organizations	International Labor Organization *(Dar es Salaam)*
	UNICEF *(Dar es Salaam)*
NGOs	National Women's Organization of Tanzania *(Dar es Salaam)*
	Save the Children Association *(Dar es Salaam)*
	Tanzania Social Workers Association *(Dar es Salaam)*
	Tanzania Youth Development Association (TYDA) *(Dar es Salaam)*
	Tanzania Council of Social Development *(Dar es Salaam)*
	The Zanzibar Association of NGOs (ANGOZA) *(Zanzibar)*
Other	Dr. R.W. Tenga, Law Associates *(Dar es Salaam)*

Thailand
List of Meetings

Government	Ministry of Labor and Social Welfare *(Bangkok)* Ministry of Education *(Bangkok)* Dr. Saisuree Chutikul, Chairperson, Senate Committee on Women, Youth and the Elderly and Advisor, Office of the Permanent Secretary, Office of the Prime Minister *(Bangkok)*
Worker Organizations	American Center for International Labor Solidarity, AFL-CIO *(Bangkok)*
International Organizations	International Labor Organization *(Bangkok)* UNICEF *(Bangkok)*
NGOs	Asia Cultural Forum on Development (ACFOD) *(Bangkok)* Child Workers in Asia (CWA) *(Bangkok)* Distance Education Program *(Chiang Mai)* End Child Prostitution, Child Pornography and the Trafficking of Children for Sexual Purposes (ECPAT) *(Bangkok)* Foundation for Child Development (FCD) *(Bangkok)* Images Asia *(Chiang Mai)* International Rescue Committee *(Mae Hong Son)* Save the Children *(Bangkok)* Southeast Asian Information Network *(Chiang Mai)* The Center for the Protection of Children's Rights *(Bangkok)* World Vision Foundation of Thailand *(Bangkok)*
Other	Prof. Lae Dilokvidhyarat, Chulalongkorn University *(Bangkok)* Prof. Vitit Muntarbhorn, Chulalongkorn University *(Bangkok)*

Turkey
List of Meetings

Government	Ministry of Labor and Social Security, Child Labor Unit *(Ankara, Istanbul)* Ministry of National Education, General Directorate of Apprenticeship and Non-Formal Education *(Ankara)* Office of Religious Affairs Directorate (Diyanet) *(Ankara)* Provincial Social Services *(Izmir)* State Institute of Statistics *(Ankara)*
Worker Organizations	Confederation of Progressive Trade Unions of Turkey (DISK) *(Istanbul)* Confederation of Real Trade Unions (HAK-IS) *(Ankara)* Confederation of Turkish Trade Unions (TÜRK-IS) *(Ankara, Istanbul, Izmir)*
Employers/ Trade Associations	Confederation of Turkish Tradesmen and Handicrafts (TESK) *(Istanbul)* DOST Textile Industry and Trading Incorporation *(Denizli)* Istanbul Union of Chamber of Tradesmen *(Istanbul)* Olimpiyat Tekstli *(Denizli)* Turkish Confederation of Employer Associations (TISK) *(Ankara)* Turkish Research Institute of Small and Medium-Sized Enterprises and Crafts (TES-AR) *(Ankara)*
International Organizations	International Labor Organization *(Ankara)* UNICEF *(Ankara)*
NGOs	Center for Children Working in the Streets *(Ankara)* Development Foundation of Turkey *(Ankara)* Fisek Institute on Health Services and Research *(Ankara, Denizli, Istanbul, Izmir)* Foundation for the Advancement of Vocational Training and Small Scale Enterprises (MEK-SA) *(Ankara)* Global March Against Child Labor *(Ankara, Istanbul)* The Human Resources Development Foundation *(Istanbul)* Lion's Club *(Ankara)* Rotary Club *(Ankara)*
Other	CHP (Republican People's Party) Youth Auxiliary *(Ankara)* Foundation for Social Work, Research, Documentation

and Education (SABEV), Gazi University *(Ankara)*
Ostim Industrial Area Apprenticeship School *(Ankara)*
Professor Esin Küntay, Mimar Sinan University, Department of Sociology *(Istanbul)*
Professor Ferhunde Özbay, Bosphorous University *(Istanbul)*
Professor Seyda Aksel, Aegean University *(Izmir)*
Students from Ankara University, Bilkent University, Middle East Technical University *(Ankara)*
TEK-EV Apprenticeship School *(Ankara)*

Appendix B:
Child Labor Data Methodology and Sources

A. Characteristics of Child Labor Reporting

Reliable statistics on child labor are rare and, when available, often incomplete. Because child labor is illegal below a certain age in almost every country, national government surveys often do not collect information on working children below 15 years old.

Moreover, when data are collected on working children, large differences in methodology and definition make it difficult to make comparisons across countries. The main difficulty is that each nation chooses its own definition of what constitutes a "child" as well as what it classifies as "labor." As a result, the number of working children reported by one country may be higher or lower than that reported by another simply because of which groups of children and which activities are included in the statistic.

While most countries that collect data on working children classify child laborers as workers under 15 years old, some consider those up to 17 or 19 years to be child workers. There are also different minimum age limits associated with labor data collected by governments with a majority of countries placing a lower age limit of five years.

There is even less agreement among countries on what types of activities by children constitute child labor. Some countries collect information on children working in either paid or unpaid work that takes place either inside or outside the home, while others count only full-time paid labor. Likewise, some countries do not classify students as child laborers no matter how many hours they work outside the home. Others, however, count students working at least one hour a week outside of class as employed.

Depending on the definitions used and the activities included, therefore, certain statistics may grossly over- or underrepresent the true number of child laborers in a country. The five to 14 year-old age group is used whenever possible in measuring child labor incidence. When data for children ages five to nine are not available, the 10 to 14 age group is reported. It should be noted, however, that since children in the upper age bracket have a much higher probability of working, countries for which only data on 10 to 14 year olds are reported will tend to have higher percentages of children in the workforce than those with estimates extending below 10 years old.

In analyzing the available statistics, the following concepts must be considered:

1. Working Children

Census and labor force surveys usually gather information on working children by asking respondents if they worked at least one hour of any day during the reference period specified. This question forms the basis for the number of working children. However, depending on the country, this statistic may or may not include unpaid workers or household laborers working on family farms or enterprises. In many countries, only those children who worked more than a certain number of hours a week are included.

Because this grouping may exclude child laborers performing unpaid or household duties or children who are in the workforce but did not work in the reference period specified, the estimate of working children may under represent the child labor situation in a country.

2. Economically Active Children

According to the internationally-endorsed definition,[1] the term "economically active" used by the ILO, other international and regional organizations, and most countries, comprises all citizens who supply productive labor in a country. The generally accepted definition includes all those found to be working as discussed in the preceding section, paid and unpaid family laborers working in economically productive areas, and those in the workforce who were unemployed but looking for jobs during the reference period specified.

Economically active children, therefore, comprise all children who are found to be:

- working either at home or in an outside business,
- performing paid work or working for no pay, or
- not working but actively seeking employment.

Additionally, most countries include children in the labor force who are attending school full time but working part time either after classes or on weekends.

Because this definition includes both working children and those who are in the labor force but unemployed at the time of the survey, it provides the best estimate of the number of child laborers in a country. For this reason, the statistics cited in this report are taken from the number of economically active children whenever possible.

3. Reference Period

Census and employment surveys collect information by asking respondents whether they have worked during a certain reference period. There are generally two different reference periods used when collecting labor information: one week (current activity) and one year (usual activity).

The current activity period counts only those who were in the labor force during the seven-day period preceding the survey, while the usual activity period includes those who worked at any time during the previous year. In general, usual activity estimates are higher than those for current activity. Because many child laborers work intermittently or in jobs that are highly seasonal (agriculture), the usual activity reference period is more likely to capture the true number of child workers in a country. For this reason, usual activity reference period estimates are used in this report whenever possible.

---

[1] As adopted by the 13th International Conference of Labor Statisticians (ICLS) in 1982.

4. Other Issues

In addition to the collecting and reporting considerations mentioned above, other factors can influence the comparability and validity of child labor statistics in various countries. Factors such as homelessness, lack of birth registration, informal sector employment, or a large number of refugees or immigrants can increase the probability of significant underreporting. Considering the prevalence of many of these factors in the developing countries studied in this report, the statistics presented here are likely to understate the true extent of child labor.

There are also issues specific to child labor reporting that can impair the accuracy of child labor estimates. Parents, children, and employers are all likely to be reluctant to report child laborers due to shame or fear of prosecution. In addition, initial experimental surveys by the ILO found that children under the age of 10 were often too young or too shy to effectively answer questions about their employment status, and the terms and parameters used to classify labor force participation were often too confusing for them.[2] Young children interviewed with parents or employers present may also give inaccurate answers for fear of reprimand or losing their job.

B. Sources of Child Labor Data

Child labor statistics in this report were obtained from four main sources.

1. ILO-Sponsored Child Labor Surveys

Since 1992, the ILO's International Program for the Elimination of Child Labor (IPEC) and Bureau of Statistics (STAT) have worked in close collaboration with national statistical institutions in several countries in designing and implementing specialized surveys on child labor. These surveys, administered either independently or as part of a country's existing labor force surveys, have followed standard design and methodological approaches devised by IPEC/STAT after extensive experimentation using different statistical approaches for quantifying child labor.

At the time of this report's publication, 15 countries had completed or were in the process of completing child labor surveys based on the recently developed methodologies for collecting comprehensive information on characteristics of child labor such as reasons for working, working hours, employment of children in specific industries or sectors, and number of children laboring under hazardous conditions.[3] While using the same newly-developed methodology by the ILO, each of

---

[2] *Child Labor Surveys: Results of Methodological Experiments in Four Countries 1992-93* (Geneva: ILO, 1996) 67-70.

[3] Countries where national child labor surveys have been completed or are nearing completion are Bangladesh (1995-96), Cambodia (1995-96), Costa Rica (by the end of 1998), Kenya (early 1999), Nepal (1995-96), Pakistan (1996), the Philippines (1995), Senegal (1992-93), Sri Lanka (early 1999), Turkey (1994), West Bank and Gaza (early 1999). Regional surveys have been completed in Ghana, India, Indonesia, and Thailand.

BEST COPY AVAILABLE

these surveys was carried out by national statistical agencies with slight modifications for country differences (see individual country sections for specific survey results in some of these countries).

New child labor surveys are either planned or already begun in 18 additional countries. These countries are: **Cambodia** (second round), **Colombia, Ethiopia, Georgia, Indonesia** (second round), **Madagascar**, **Mozambique**, **Namibia**, **Nicaragua**, **Nigeria**, **Pakistan** (second round), **South Africa**, **Trinidad and Tobago**, **Turkey** (second round), **Ukraine**, **Venezuela**, **Vietnam**, and **Zimbabwe**. Several other countries are also preparing to launch surveys in the near future.[4] The ILO hopes to use the survey results to compile a comprehensive database on child labor within a couple of years.

2. Government Census and Household Surveys

Until recently, few countries collected statistical information on working children.[5] Most government data on child labor are gathered through decennial population censuses or periodic labor force surveys (LFS) conducted by national statistical agencies in individual countries. While some countries include workforce participation by children under 10 years old in their survey programs, most report national labor force rates for five-year age groups beginning at 10 or 15 years old.

Census and labor force surveys, however, have been found to be less than effective tools for measuring and understanding child labor. Since a large proportion of child labor occurs in the informal sector or within household-based enterprises performed mainly as unpaid work, child labor incidence can remain largely undocumented. Lastly, neither census nor labor force surveys collect data on the working and living conditions of children, especially health and safety aspects, which are important factors for determining the consequences of child labor.[6]

3. Economically Active Population 1950-2010

The ILO's decennial publication on labor statistics, the *Economically Active Population (EAP)*, includes estimates of the number of economically active children ages 10 to 14 years for every country and territory with a population of 200,000 or more.[7] These data are compiled from national censuses and labor force surveys, with data or methodological gaps filled by statistical projections and estimates by the ILO Bureau of Statistics.

---

[4] In addition to many countries in Africa, Asia, and Latin America and the Caribbean, the ILO is collaborating with European countries such as Armenia, Italy, Lithuania, Portugal, Romania, and Spain on specialized child labor surveys. Electronic correspondence from Kebebew Ashagrie, Director, Bureau of Statistics, ILO, to U.S. Department of Labor official (December 14, 1998).

[5] According to an ILO/Bureau of Statistics 1992-93 investigation, only 44 out of 201 countries surveyed had useful statistics on economically active children, and only five classified data in a separate five to nine year-old age range. "Statistics on Child Labour: A Brief Report," *Bulletin of Labour Statistics* (Geneva: ILO, vol. 3, 1993) xi-xvii [hereinafter "Statistics on Child Labour: A Brief Report"]

[6] "Statistics on Child Labour: A Brief Report" at xvi.

[7] *Economically Active Population 1950-2010*, Fourth edition (Geneva: ILO, 1996) Volumes II-V.

BEST COPY AVAILABLE

The only available source for comprehensive and comparable data on working children 10 to 14 years old, the *EAP* reports labor force estimates from 1950 to 1990 at 10-year intervals in five-year age groups. Projections are also included for the years 1995, 2000, and 2010.

While useful as a general indicator of labor force participation rates in different countries, the *EAP* is less accurate in estimating the number of children working below the age of 15. In addition to the absence of data for the five to nine-year-old age group, several estimates in the 10 to 14-year-old age group are well below the estimates from other data sources.[8]

One of the main weaknesses in the *EAP* is the use of statistical modeling to fill in gaps where data are not available. To provide estimates in every age category for every year, the ILO uses estimates from neighboring countries in calculating labor participation rates. In addition, to make the data comparable, models are sometimes used to adjust figures that have been collected using different methodology or age groupings. As a result, the *EAP* contains estimates produced solely by statistical techniques and not by national surveys or sampling methods.[9]

4. Unofficial and Nongovernmental Estimates

While most NGOs cite ILO data (child labor surveys or the *EAP*) or official government surveys of the number of working children, some have produced their own estimates of child laborers in individual countries. These estimates vary greatly in coverage and methodology and must be assessed for accuracy and comparability on a case-by-case basis.

In cases where official child labor estimates are considered to be gross underestimates, nongovernmental statistics may provide a more accurate picture of the child labor situation and have been noted in the country sections below for this reason.

C. Data Sources for Table II-1

This section provides the specific sources of child labor data reported in Table II-1. It also provides brief descriptions of the surveys and/or methodologies used to collect the data cited in Table II-1 and presents unofficial child labor estimates that are not reported in the table.

1. Bangladesh

In 1995-96, the Government of Bangladesh conducted an ILO-sponsored child labor survey. The National Sample Survey of Child Labour was a household survey that measured child labor based on responses to several interview questions.

---

[8] For example, a 1995 household survey in Brazil found 3.6 million economically active children (10-14), while the *EAP* estimated only 2.8 million for the same year. In Nepal, a 1994 ILO-sponsored child labor survey found 2.6 million child workers, including 1.7 million in the 10 to 14 age group. The *EAP* estimate for 1995 was only 1.2 million. *Ibid.* at Vol. III, 102; Vol. I, 93.

[9] Volume VI of the *EAP* (Methodological Supplement) will contain a detailed description of the sources and statistical methods used to produce the specific estimates and projections. It was not yet published at the time of this report.

Based on the interviews, all children ages five to 14 within a household were classified into one of three categories: "working," "not working," or "inactive."

Working children were defined as those who had worked for one or more hours during the reference period (either one week or one year). Work was defined as employment for pay or profit or non-remunerated economic activity on a family farm or enterprise. Children who were full-time students and engaged in household economic activity during leisure hours were not counted as working.

Not-working children were defined as those who were involuntarily out of employment during the reference period but who had been actively seeking a job or prevented from seeking one because of illness or lack of opportunity. Inactive children included full-time students and child household workers (not including children who worked unpaid for a family farm or other family-owned/operated business).

Children in the first two categories made up the total child labor force in Bangladesh. The official government estimate for the number of child laborers, however, counted only children working, not those who were looking for work or involuntarily unemployed.

Two reference periods were used to classify child laborers based on the "usual activity" and "current activity" approaches. The current activity period asked whether children had worked at least one hour in the previous seven days. It led to an estimate of 6,455,000 for the total number of children in the labor force, including 6,304,000 working children and 151,000 not-working children.

The usual activity reference period, which was used to capture seasonal or sporadic employment, asked whether or not a child had worked at least one hour in the past 12 months. This approach yielded a total child labor force of 6,584,000, which included 6,298,000 working children and 286,000 not-working children.

One major limitation of this survey is that children attending school were considered ineligible for inclusion in the workforce no matter how many hours they worked during the week. As a result, the number of economically active children estimated is likely to be underreported.

Bangladesh

Total number of children:	34,455,000

1995-96 population estimates for children ages 5-14.

Source: *Report on National Sample Survey of Child Labour in Bangladesh 1995-96* (Dhaka: Bangladesh Bureau of Statistics, October 1996) Table 3.12, 28.

Estimated number of child workers:	6,584,000

Economically active children (5-9) and (10-14) using the one-year reference period.

Source: *Ibid.* at Table 7.2, 75.

2. Brazil

The Government of Brazil has not conducted a specialized child labor survey but has collected information on working children through its annual national household sampling surveys (PNAD). Conducted by the Brazilian Institute of Geography and Statistics (IBGE) every year except 1994, the surveys collect information on population and workforce participation rates for children ages five to 14 years old. The data tables, available through the IBGE website at http://www.ibge.org, break down labor participation rates by gender, location (urban/rural), and number of hours worked.

The annual PNAD surveys use both "current" and "usual" reference periods and collect data on the number of working children from five to nine and 10 to 14 years old. The estimates in this report come from the 1995 PNAD and reflect the one-year (usual activity) reference period for the number of working children five to 14 years old (the IBGE does not report statistics on the economically active population below 10 years of age). The most recent available PNAD (1996) did not collect information on working children from five to nine years old.

Brazil

Total number of children: 1995 population estimates for children aged 5-14.	33,936,942
Source: "Pesquisa nacional por amostra de domicilios (PNAD)—1995" (http://www.ibge.org/informacoes/estat2.htm) Table 1.1.	
Estimated number of child workers: Estimated number of working children (5-14) from the one-year reference period.	4,349,080
Source: *Ibid.* at Table 4.35.	

3. Egypt

The Government of Egypt is currently considering a special child labor survey in conjunction with the ILO. The best current sources for child labor data are the official census and labor force sample surveys (LFSS). Most of these surveys collect data on children as young as six years old, but show considerable confusion about the true number of child workers. Data until 1986 show working children (six to 14 years old) accounting for approximately 10 percent of the labor force (see Table B-1). After this date, however, the surveys begin to show a dramatic decrease in the number of child workers—from 1.3 million in 1988 to a low of 361,300 in 1995—and a corresponding drop in the percentage of the workforce which they represent.

The precipitous drop in the number of child laborers and their percentage of the workforce has been attributed to changes in data collection methodology and accuracy. Until 1988, the LFSS included a specific module for collecting in-depth information on child labor. Its discontinuance since that year has affected the accu-

BEST COPY AVAILABLE

TABLE B-1

Egypt: Census and Labor Force Sample Surveys

Year	Survey Type	Total Number of Employed Children (6-14)	Percentage of Employed Population	Children in the Labor Force
1974	LFSS	837,900	9,469,300	8.8
1976	Census	1,423,324	11,037,093	12.9
1979	LFSS	894,900	10,512,900	10.8
1984	LFSS	1,472,600	14,311,300	10.3
1986	Census	544,259	13,349,243	4.0
1988	LFSS	1,309,000	17,268,000	7.6
1989	LFSS*	335,700	16,033,600	2.1
1991	LFSS	365,600	15,964,300	2.3
1992	LFSS	427,700	16,290,100	2.6
1993	LFSS	423,500	16,917,600	2.5
1994	LFSS	397,500	17,571,600	2.3
1995	LFSS	361,300	17,725,900	2.0

** Children 12-14 years old only.*

Sources: *Yearbook of Labour Statistics (Geneva: ILO, 1945-89, 1989-90, 1992, 1993, 1994, 1995, 1996 and 1997) and Bothaina El-Deeb,* Child Labor in Egypt *(Cairo: CAPMAS Labour Information System Project, 1990), Table 3.1,16.*

racy of child labor reporting and calls into question the reliability of all child labor force data collected in the past decade.[10] The data information reported in Table II-1 come from the 1988 LFSS, which was the last national survey to utilize the special child labor module.

Egypt

Total number of children: 10,910,000

Estimated child population 6 to 14 years old from the 1988 Labor Force Sample Survey; calculated from percentage of children working.

Source: Ahmed Abdalla et al., *Child Labor in Egypt* (Cairo: Al-Jeel Center for Youth & Social Studies, 1996) 60.

Estimated number of child workers: 1,309,000

The number of employed children ages 6 to 14, paid and unpaid, from the 1988 Labor Force Sample Survey.

Source: 1988 Labor Force Sample Survey, as reported in Bothaina El-Deeb, *Child Labor in Egypt* (Cairo: CAPMAS Labour Information System Project, 1990) Table 3.4, 22.

---

[10] See Ahmed Abdalla et al., *Child Labor in Egypt* (Cairo: Al-Jeel Center for Youth & Social Studies, 1996) 57.

Other estimates of working children range from 2 million (age range unknown), made by the Egyptian Minister of Manpower at a 1995 Cairo seminar on child labor, to 3 million (including 2.25 million working boys between six and 12 years old).[11]

4. Guatemala

The 1994 national census in Guatemala was the first to collect data on working children as young as seven years old. It found 151,494 economically active children between seven and 14 years old out of a child population of approximately 3.7 million. The reference period was the week immediately before the survey. Persons doing unpaid work in family enterprises and students with part-time jobs were all included in the economically active population.

Other estimates of child labor are much higher but difficult to document. A 1989 study reported 901,800 working children from 10 to 17 years old.[12] In a 1995 interview, Carlos Mancilla García, Secretary of Social Welfare for the Confederation of United Unions of Guatemala, estimated the number of child workers (six-17) at 1.5 to two million.[13]

Guatemala

Total number of children: 1994 population estimate for children ages 0-14 from 1994 national census.	3,666,192
Source: *Yearbook of Labour Statistics 1997* (Geneva: ILO, 1997) 15.	
Estimated number of child workers: Estimated number of employed children (7-14) from the 1994 national census.	151,494
Source: *Ibid.*	

5. India

India is one of the original four countries (the others being Ghana, Indonesia, and Senegal) in which the ILO sponsored experimental surveys in 1992-93 to develop and pretest the methodology and survey instruments for child data collection. The 1993 ILO-sponsored survey, conducted in only two districts of Gujarat state, found approximately 23 percent of the child population ages five to 14 working either full or part time. Because it was only a regional survey, however, no estimate was made for the total number of child workers in the country and there are currently no plans to conduct a national child labor survey at this time.

Official government estimates of the percentage of children working in India are much lower than those in the ILO-sponsored regional study. The most recent national census (1991) recorded approximately 11.3 million working children out of a five to 14 year-old population of 210 million, a child work-participation rate of only 5.4 percent (estimates reported in Table II-1). The census also showed, however, that only half of all children ages five to 14 were attending school. Of the 105 million children who were not going to school, the census recorded less than 11 million of them as working. A 1996 ILO report classified 74 million of those children who were neither at school nor economically active as "nowhere" children. It calculated the combined total of full-time child workers, marginal child workers, and "nowhere" children as over 97 million, or almost 40 percent of the five to 14 age group.[14]

---

[11] U.S. Embassy-Cairo, unclassified telegram no. 05996, June 6, 1996. *See also* "Egypt Vows to Curb Child Labor," *United Press International* (October 26, 1995).

[12] Maria Eugenia Villareal and Carlos Paralta Chapetón, *Trabajo infantil: concepción y realidad* (Guatemala City: Program of Support for Maternal and Child Health, 1997) 48.

[13] *Ibid.* at 49.

Several NGOs have produced or cited higher estimates of child labor, which are based on unknown methodology. For example, the Operations Research Group, which completed an all-India child labor sample survey in 1980-81, found 44 million working children (age range unknown).[15] An Indian nonprofit called Centre for Concern for Working Children cites a 1994 estimate of 100 million working children (age range unknown) apparently based on the number of children out of school.[16] Lastly, the Balai Data Bank of Manila is also credited with an estimate of 100 million child laborers (age range unknown).[17]

The actual number of child workers is likely somewhere between the official estimate and the highest unofficial figures, with many NGOs and international organizations using 44 million to 55 million as a working figure.[18]

India

Total number of children: 209,986,630

1991 population estimate for children ages 5-14 based on national census figures.

Source: *Yearbook of Labour Statistics 1997* (Geneva: ILO, 1997) 19.

Estimated number of child workers: 11,285,349

Estimated number of economically active children ages 5-14 from 1991 national census.

Source: *Ibid.*

6. Kenya

Kenya is currently conducting an ILO-sponsored survey on child labor which should be completed by early 1999. At the present time there are no other reliable data for the number of children working in Kenya besides the ILO's *Economically*

---

[14] D.P. Chaudhri, *A Dynamic Profile of Child Labour in India*, *cited in* UNICEF press release "Child Labour in India" (New Delhi: UNICEF Information Service, 1996) 1-2 [hereinafter UNICEF press release].

[15] Manjari Dingwaney, *Children of Darkness* (New Delhi: New Age Printing Press, 1988) 4.

[16] UNICEF press release at 1.

[17] Ingrid Mendonca, "Child Labour in India: Promises to Keep," *FRCH Newsletter* (Mumbai: Foundation for Research in Community Health, vol. VI, no. 5, September-October 1992) 2.

[18] U.S. Embassy-New Delhi, unclassified telegram no. 01401, February 20, 1998.

Active Population database. The 1995 estimates published by the ILO are based on the 1989 national population census, which used only a "one week" reference period in classifying economically active citizens ages 10 years old and above.

The census used a concept of "economically active" which included all those who were working for pay or doing unpaid work on a family farm or business during the week immediately preceding the census.[19] Working students with a part-time job and students seeking work were excluded from this category.

Other estimates are based on the number of children who are not attending primary school. The Kenyan Central Organization of Trade Unions estimates 3.5 million working children (ages six to 15) using this method.[20]

Kenya

Total number of children: 1995 population estimate for children 10 to 14 years old.	3,776,000

Source: *Economically Active Population 1950-2010*, Fourth Edition (Geneva: ILO, 1996) Vol. II, 59.

Estimated number of child workers: 1995 estimated number of economically active children ages 10-14.	1,558,000

Source: *Ibid.*

7. Mexico

Currently, no comprehensive statistics are available on working children in Mexico. The best source for child labor statistics is the government's National Employment Survey (ENE). This annual household survey, however, collects employment data only on persons 12 years of age and older. For this reason, official child labor estimates in Mexico are for the 12 to 14-year age group only.

The most recent ENE survey, conducted from April to June 1996, found 1.1 million working children between 12 and 14 years old in Mexico. This represents 17.3 percent of the child population at that age and roughly 3.1 percent of the total national workforce during that year.

Other estimates of child labor in Mexico are higher. For example, the United Nations' Economic Commission for Latin America and the Caribbean (ECLAC) reported 29 percent of school-age children in Mexico working (approximately 2 million child laborers in the 12 to 14-year age group alone).[21] Another estimate, based on the number of children who do not finish school, puts the number of working children at 2.8 million.[22]

---

[19] The question used to determine if a person was to be counted as employed was "What was X mainly doing during the last seven days preceding the census night?" See *Sources and Methods—Labour Statistics Volume 5: Total and Economically Active Population, Employment and Unemployment (Population Censuses)* (Geneva: ILO, Second edition 1996) 41 [hereinafter *Sources and Methods*].

[20] *Campaign Against Child Labour* (Nairobi: Kenyan Central Organization of Trade Unions [COTU], May 1, 1998) 2.

Mexico

Total number of children: 1996 population estimates for children ages 12-14 from labor force survey.	6,560,673
Source: *Yearbook of Labour Statistics 1997* (Geneva: ILO, 1997) 15.	
Estimated number of child workers: 1996 estimated number of economically active children 12-14 years old.	1,136,768
Source: *Ibid.*	

8. Nepal

Nepal completed an ILO-sponsored survey on child labor as part of its 1995-96 national Migration and Employment Survey. The child labor component of the study, which used the 13,000 households in the sample with at least one child ages five to 14, found close to 2.6 million working children in Nepal, or 41.7 percent of the child population.

The survey used answers to a series of questions and a one-year reference period to group children into three categories: only attending school, working, and idle. Only 36.7 percent of the children were attending school full-time, 41.7 percent were working (either full-or part-time while attending school), and 15 percent

Nepal

Total number of children: 1995-96 population estimates of children 5-14 years old.	6,225,000
Source: Bhim Raj Suwal, Bal Kumar, and Kashab Prasad Adhikari, *Child Labor Situation in Nepal* (Kathmandu: Central Department of Population Studies, Tribhuvan University, 1997) 28 [draft on file].	
Estimated number of child workers: 1995-96 estimated number of child workers 5-14 years old. Estimate includes both "economically active" and "non-economically active" children as defined in the study.	2,596,000
Source: *Ibid.* at 29.	

---

[21] *Mexico* (Cartagena: Sistema Regional de Información Sobre Trabajo Infantil—ILO/IPEC, 1997) 11. Estimate calculated using 1996 12-14 population reported in *Yearbook of Labour Statistics 1997* (Geneva: ILO, 1997) 15.

[22] Hector León, "The Convention on the Rights of the Child and Child Labor," *in El trabajo infantil en México*, (Veracruz: ILO, UNICEF, and the University of Veracruz, 1996) 6.

were idle. Working children were further broken down into those who were attending school while working (1.6 million) and those working full time (one million).

The official report of the survey has not yet been published, but the data tables have been made available. Nepal is planning a second ILO-sponsored child labor survey in 1999.

9. Nicaragua

Nicaragua is currently working with the ILO on a specialized child labor survey. Until it is completed, the best data on working children is the 1995 national census which found 60,247 children between 10 and 14 years old who were economically active—almost 10 percent of the total 10 to 14 year old child population.

While this is the most recent official source of statistics on child labor in Nicaragua, other estimates show a slightly higher number of children working. The United Nation's Economic Commission for Latin America and the Caribbean (ECLAC) reports 71,922 children working 10 to 14 years of age.[27] Other estimates have put the number of children working in Nicaragua at over 100,000 (age range unknown).[28]

Nicaragua

Total number of children: 1995 population census estimates of children 10-14 years old.	608,445
Source: *Yearbook of Labour Statistics 1997* (Geneva: ILO, 1997) 16.	
Estimated number of child workers: 1995 estimated number of child workers 10-14 years old from census.	60,247
Source: *Ibid.*	

10. Pakistan

Although the government of Pakistan completed an ILO-sponsored child labor survey in 1996, estimates of the number of child laborers are still being debated. The ILO-sponsored child labor survey found just over 3 million working children five to 14 years old—about 8 percent of the child population.

This estimate was obtained from a national household survey using both a one-week and a one-year reference period. But critics have questioned the reliability of this estimate, and the Pakistani Federal Bureau of Statistics (FBS), which administered the survey, has acknowledged some imprecision in its findings. The

---

[27] *Nicaragua* (Cartagena: Sistema Regional de Informacion Sobre Trabajo Infantil—ILO/IPEC, 1997) 19.

[28] *Country Reports on Human Rights Practices for 1997* (Washington, D.C.: U.S. Department of State, 1998) 601.

FBS noted that the child participation rate of the 10 to 14 age group had been found to be much higher in various annual labor force surveys (LFS). The 1993-94 LFS, for example, found over 14.5 percent of children ages 10 to 14 working in the rural provinces of Sindh and Balochistan, while the child labor study estimated only eight percent and 1.2 percent respectively. The FBS acknowledges that up to 300,000 children may be underreported in the official estimate in these two provinces.[25]

Another problem encountered in the survey was the difficulty of collecting information on working females. It was not possible to interview many girls ages 10 to 14 because they were not attending school, and male surveyors were not able to question them at home due to cultural constraints. Also, the survey did not include in its measure of working children those who were working in private homes as domestic servants and girls assisting their mothers at home in domestic labor. Because of these constraints, the economic participation rate for females is likely to be highly underreported.[26]

The accuracy of the survey can also be called into question because of a discrepancy between the estimates from the two different reference periods used. Despite the opposite expected outcome, the estimate for children working in the one-week reference period (3.3 million) was greater than that for the one-year period (3.2 million). This discrepancy is apparently due to the fact that only those who listed work as their principal activity during the 12-month period were counted as working children. Thus, some children who attended school and also worked were included as child workers in the one-week period but not in the one-year estimate. All of the above-mentioned discrepancies and constraints are expected to be resolved in a second child labor survey planned for 1999.

Pakistan

Total number of children: 1995 estimates of children 5-14 years old from child labor survey.	40,043,700
Source: *Summary Results of Child Labor Survey in Pakistan* (Islamabad: Pakistan Federal Bureau of Statistics, Ministry of Labour, Manpower and Overseas Pakistanis, ILO/IPEC, October 9, 1996) Table 2, 24.	
Estimated number of child workers: 1995 estimated number of economically active children 5-9 and 10-14 using the one week reference period.	3,313,420
Source: *Ibid.* at Table 4, 27.	

---

[25] *Summary Results of Child Labor Survey in Pakistan* (Islamabad: Pakistan Federal Bureau of Statistics, Ministry of Labour, Manpower and Overseas Pakistanis, ILO/IPEC, October 9, 1996) 11.

[26] Telephone interview with Kebebew Ashagrie, Director, Bureau of Statistics, ILO, by U.S. Department of Labor official (September 8, 1998).

Nongovernmental estimates of working children in Pakistan are much higher than the 1996 survey. A 1990 UNICEF and Government of Pakistan publication estimated the number of child workers under 15 to be "not below 8 million." This estimate is purportedly based on an "analysis of all data available, including school participation rates."[27] Another estimate using data on the number of children not enrolled in school in 1989-90, puts the number of child laborers five to 14 years old in Pakistan at 19 million, including 12 million working children ages 10 to 14 and 7 million five to nine years old.[28]

11. Peru

Because the Government of Peru has not requested assistance from the ILO in completing a child labor survey, and because it does not report labor survey statistics for children below 15 years of age, the only source of official data on child labor are national census data collected once a decade.

In the latest national censuses, completed in 1961, 1972, 1981, and 1993, the economically active population estimates included children six to 14 years old who were working for pay, temporarily absent from work, or working as a helper to a family member for no pay. Students with part-time jobs were also included in the estimates.

Table B-2 shows the child population and economically active estimates for children six to 14 years old from the last four population censuses.

Data from the 1993 census show approximately 196,000 economically active children six to 14 years old out of a total child population of 4.8 million, an

TABLE B-2

Perú: Economically Active Children (6-14 years old)

Year	Child Population (6-14)	Active Children (6-14)	Economically Percentage of Children Economically Active
1961	2.3 million	79,600	3.4
1972	3.3 million	85,400	2.6
1981	4.0 million	124,200	3.0
1993	4.8 million	196,200	4.1

Source: National Population and Living Censuses 1961, 1972, 1981 and 1993, Instituto Nacional de Estadísticas e Informática (INEI).

---

[27] *Discover the Working Child, it's a beginning—the situation of Child Labor in Pakistan* (Islamabad: UNICEF—Pakistan and the National Commission for Child Welfare & Development, Special Education & Social Welfare Division, Government of Pakistan, 1990) 7.

[28] Moazam Mahmood, Muhammad Javaid Khan Tariq, and Ajmal Baig, *Why Children Do Not Go to School in Pakistan—Some Estimates and a Theoretical Framework* (Islamabad: Pakistan Institute of Development Economics, 1994) 8-9 I.

BEST COPY AVAILABLE

increase of 72,000 children from 1981. The percentage of children who are economically active also increased during the same time period, from 3.0 percent in 1981 to 4.1 percent in 1993.

The most recent available household survey, conducted by the National Institute of Statistics and Information (INEI) in the first trimester of 1996, reported 1.9 million economically active children between six and 17 years old. Since previous surveys have shown 15 to 30 percent of economically active six to 17-year olds to be in the six to 11 age group,[29] this estimate suggests 300,000 to 600,000 working children below 12 years old.

Other estimates include a 1995-96 survey on urban employment, which found 4.3 million urban children from six to 17 years old working, approximately 600,000 of them in the 6 to 11 age group.[30]

Peru

Total number of children: 1993 population census estimate for children 6-14 years old.	4,834,000

Source: National Population and Living Census 1993 (INEI) as reported in *Perú* (Cartagena: Sistema Regional de Información sobre Trabajo Infantil - ILO/IPEC, 1997) 29.

Estimated number of child workers: Estimated number of economically active children 6-14 years old from the 1993 population census.	196,200

Source: *Ibid.*

12. Philippines

In 1995, the Philippine National Statistics Office, in collaboration with the Philippine Department of Labor and Employment and ILO/IPEC, conducted a survey of children five to 17 years old. This study, which was part of the annual July labor force survey, was the first national survey of working children in the Philippines. A second child labor component will be included in an upcoming survey.

Although results from the survey and all related data tables were released in 1996, a comprehensive official report has not yet been published. The survey found approximately 3.7 million working children in the country, including about 1.9 million children from five to 14 years old (11 percent of the child population in this age group). Twice as many males in the five to 14-year age group (1.2 million) were working than females (0.6 million), and child labor participation rates were over three times higher in rural areas (24 percent) than in urban areas (7 percent).

---

[29] See *Situacion de la Niñez y la Adolescencia en el Perú* (Lima: Grupo de Iniciativa Nacional por los Derechos del niños, September 1997) 25 [hereinafter Situacion de la niñez], and *Estudio de niños y adolescentes trabajadores a nivel nacional 1998* (Lima: Ministry of Labor and Social Promotion, 1998) A.

[30] *Ibid.*

Philippines

Total number of children: 17,506,518

1995 population census estimate of children 5-14 years old from national survey of children.

Source: "Survey of Children 5-17 Years Old," reported in *Children of the Philippines —How Many Are There?* (Manila: National Statistics Office, 1996).

Estimated number of child workers: 1,863,307

1995 estimated number of child workers 5-14 years old from national survey of children.

Source: *Ibid.*

13. South Africa

South Africa recently signed an agreement to conduct an ILO/IPEC-sponsored child labor survey. Preliminary statistics from this study should be available by early 1999.

The best statistics currently available on child labor participation rates are from the 1994 October Household Survey (OHS) conducted by the South African Central Statistics Service, which only collected data on children 10 to 14 years old.

South Africa

Total number of children: 4,608,259

1994 population estimates for children ages 10-14 based on OHS.

Source: 1994 October Household Survey as reported in Dawie Bosch and Adele Gordon, *Child Labour in Commercial Agriculture in South Africa* (Dar es Salaam: ILO Regional African Workshop on Child Labour, 1996) 26.

Estimated number of child workers: 200,013

The number of working children, survey methodology used, and reporting characteristics are closely associated with the accepted definition of economically active population.

Source: *Ibid.*

14. Tanzania

The Government of Tanzania is currently in discussions with the ILO about conducting a specialized child labor survey. At the time of this report, however, the best available statistics on child labor in Tanzania are from the ILO's *Economically Active Population*. The 1995 estimates published by the ILO are based on 1988 national census figures which used a 12 month reference period in classifying the economically active population.

BEST COPY AVAILABLE

The 1988 census counted as economically active all citizens 10 years and older who were employed or looking for work during the year preceding the census day, including all those doing unpaid work in family firms or businesses, working students with a part-time job, and seasonal workers. The census classified 395,372 working children 10 to 14 years old and another 10,948 in the same age group looking for work, out of a total 10 to 14 population of 2.9 million.[51]

Taking the 1988 census figures, the ILO used population projections and other statistical modeling techniques to produce updated estimates conforming to the internationally-accepted definition of economically active. Their 1995 estimates include 1.5 million working children 10 to 14 years old with an activity rate of 39.5 percent.

Tanzania

Total number of children: 1995 population estimate for children 10-14 years old.	3,857,000
Source: *Economically Active Population 1950-2010*, Fourth Edition (Geneva: ILO, 1996) Vol. II, 83.	
Estimated number of child workers: 1995 estimated number of economically active children ages 10-14.	1,523,000
Source: *Ibid.*	

15. Thailand

Because the Government of Thailand only collects information on individuals 13 years of age and older in its national census and labor force surveys,[52] reliable statistics on working children in Thailand are lacking. A regional child labor study sponsored by the ILO was recently undertaken in two provinces (Karnchanaburi and Ubonratchathani) with the purpose of testing methodology and definitions for a national survey of child labor to be undertaken in the near future.[53]

In the meantime, the most recent available data on working children are from the 1996 labor force survey, which found 196,000 children ages 13 and 14 in the labor force (8.6 percent of children in this age group).[54] The ILO's *Economically Active Population* database estimates that about 905,000 children from 10 to 14 years of age, or 16 percent of children in this age group, are working.

---

[51] Statistics exclude data from Zanzibar. *See Child Labour in Tanzania* (Geneva: ILO, 1992).

[52] The 1980 census, however, used a minimum age of 11 years old for inclusion in the economically active population. *See Sources and Methods* at 71.

[53] S. Sinha, *Collection and Dissemination of Data on Child Labour in Asia* (Bangkok: ILO/IPEC, 1998) 80-82 [draft on file].

[54] *Ibid.* at Table 1, 153.

Thailand

Total number of children: 5,580,000
1995 population estimate for children 10 to 14 years old.

Source: *Economically Active Population 1950-2010*, Fourth Edition (Geneva: ILO, 1996) Vol. I, 138.

Estimated number of child workers: 905,000
1995 estimated number of economically active children ages 10-14.

Source: *Ibid.*

16. Turkey

Under the sponsorship and technical assistance of ILO/IPEC, the Turkish State Institute of Statistics introduced a Child Labour Survey (CLS) as part of its October 1994 Household Labour Force Survey (HLFS). While previous HLFSs only collected data from age 12 (the legal working age) and older, the 1994 CLS/HLFS was expanded to include children as young as six years old. This survey collected information on a total of 13,537 rural and urban households from every region of the country and interviewed a total of 10,327 children between the ages of six and 14. A second round is expected to be included in the 1998 HLFS.

The reference period used in the survey was the last week of October 1994 (October 24-30). Labor participation was measured by asking interviewees whether or not they had worked during that seven-day period. Working children included all those active for at least one hour during the reference period as a regular employee, casual employee, employer, self-employed persons, or unpaid family worker. Children who were not engaged in economic activity but helped the family in household work such as shopping, cooking, and cleaning were also included.

The estimate of 1.5 million reported in Table II-1 includes all working children, as defined above, except those employed in domestic chores while attending school.

BEST COPY AVAILABLE

Turkey

Total number of children: 11,889,313

1994 population estimates and projections of children ages 6-14.

Source: *Child Labor 1994* (Ankara: State Institute of Statistics, Prime Ministry, Republic of Turkey, January 1997) Table 1.1, 21.

Estimated number of child workers: 1,495,434

The number of "employed persons in economic activity" 6-14 years old (both attending and not attending school), plus children employed in "domestic chores" and not attending school.

Source: *Ibid.* at Table 1.2, 22.

Appendix C: Examples of Where Children Work

Country	*Agriculture and Fishing*	*Manufacturing, Mining and Quarrying*	*Services*
Bangladesh	Shrimp and other seafood; tobacco	*Bidis* (cigarettes); garments	Bakeries and confectionaries; carpentry; **commercial sex workers**; communications; domestic servants; hotels; porters; restaurants; small retail shops; street vendors; transport workers
Brazil	Animal husbandry; cocoa; coffee; cotton; dairy farms, fishing; fruits and vegetables (e.g. apples; bananas; beans; Brazil nuts; cassava; corn; garlic; grapes; guava; oranges and other citrus fruits, peanuts; pineapple; potatoes; rice; tomatoes, watermelon); poultry; **rubber**; sisal; **sugar cane**; tea; tobacco; tree resin	Ceramics; **charcoal**; crates; electronics; footwear; furniture; garments; handicrafts; leather tanning; metallurgy; plastics; rock salt; sawmills/wood-pulp; stone quarrying; textiles; tin-ore and gold mining	Auto repair; bakeries; car washers; commercial sex workers; construction; domestic servants; drug trafficking; garbage pickers; messengers/delivery boys; newspaper delivery; parking garage guards; retail shops; shoeshines; small businesses; street vendors; wood delivery
Egypt	Cotton; jasmine	Bricks; carpets; footwear; handicrafts; leather tanning; plastics; textiles	Auto repair; domestic servants; garbage collection; scavengers; shop assistants; small workshops; street vendors
Guatemala	Beans; broccoli; cardamon; coffee; cotton; flowers; macadamia nuts; melons; raspberries; snow peas; sugar cane; tea	Bricks; fireworks; lime extracting; stone quarrying	Car washers; commercial sex workers; construction; domestic servants; scavengers; shoeshines; stonemasons; street vendors
India	Animal husbandry; *cinchona* (quinine); cardamon; cashew nuts; coffee; **fishing**; forestry; rubber; **small scale agriculture**; tea; tobacco	Aluminum; base metals; ***bidis* (cigarettes)**; **brassware**; **bricks**; cardboard boxes; **carpets**; **fireworks**; **footwear**; garments and textiles; gemstones; **glass**; jewelry; leather tanning; **locks**; **matches**; mining; packaging and manufacturing workshops; **seafood processing**; **silk**; slates; soccer balls and other sporting goods; stainless steel silverware; stone breaking; **stone quarrying**; synthetic jewels; tiles	Auto repair; bakeries; bus/taxi conductors; cement recyclers; **commercial sex workers**; **construction**; domestic servants; flower shops; hotels; rag pickers; railway porters; restaurants; rickshaw pullers; shoeshines; street barbers; street vendors; tea shops
Kenya	Animal husbandry; coffee; corn; dairy products; fishing; pineapples; rice; sisal; sugar cane; tea; wheat	Mining; salt harvesting; soapstone carving; stone quarrying	Bus/taxi conductors; commercial sex workers; domestic servants; scavengers; street vendors; tourism
Mexico	Coffee; fruits and vegetables (e.g. broccoli; cucumbers; eggplant; grapes; onions; peppers snow-peas; strawberries; tomatoes); tobacco	Apparel; bricks; fireworks; footwear; traditional handicrafts	Auto repair shops; bars; cafes; car washers; cashiers; commercial sex workers; construction; domestic servants; drug trafficking; grocery packers; hawkers; public markets; shoeshines; small workshops; street performers; street vendors; trash collectors; windshield wipers
Nepal	Animal husbandry; **small-scale agriculture**; tea	Baskets; bricks; **carpets**; garments; iron smithing; mining; pottery; stone quarrying; stone breaking; wood products	Bakeries; bus/taxi conductors; commercial sex workers; construction; domestic servants; hotels; porters; restaurants; sewing; tea shops; transportation; weaving

Nicaragua	Animal husbandry; bananas; beans; coffee; corn; cotton; fishing; forestry; rice; sugar; tobacco	Rock breaking	Cargo loaders; car washers; cemetery assistants; commercial sex workers; domestic servants; scavengers; shoeshines; small shops; stevedores; street vendors; vehicle guards
Pakistan	**Fishing**; **small-scale agriculture**; tobacco	**Bricks**; **carpets**; **footwear**; furniture; garments; handicrafts; **leather tanning**; paper and packaging; **power looms**; **soccer balls** and other sporting goods; **stone/brick crushing**; surgical instruments	Auto and engineering workshops; commercial sex workers; construction; domestic servants; **scavengers**; shop assistants; tailoring
Peru	Asparagus; coca; coffee; cotton; fruit; rice; shrimp	Bricks; fireworks; **gold mining**; moralla (dehydrated potatoes) processing; pumice stone; stone quarrying	Bus/taxi conductors; car washers; commercial sex workers; domestic servants; leaflet distributors; market workers; messengers; street entertainers; street vendors; scavengers; vehicle guards
Philippines	**Fishing**; forestry/ logging; fruits and vegetables (e.g. corn); palm plantations; poultry farms; **rattan**; rice; seaweed; sugar cane	Charcoal production; coconut processing; **cooking oil**; fireworks; fish packing/processing; food products; garments and embroidery; gold mining; handicrafts; mat-weaving/sewing; metal working; **print shops**; **sardine factory**; stone quarrying; wood and rattan/buri/bamboo furniture; wood products	Bars; car guards; car washers; catering; commercial sex workers; construction; cooks; dancers; domestic servants; entertainers; gas stations; grocery/bakeshops; janitors; newspapers sales; porters; receptionists; restaurants; stevedores; street vendors; wholesale/retail trade
South Africa	Corn; **fruits and vegetables**; sugar cane; tobacco	Bricks; textiles	Car parkers; car washers; coal carriers; catering; commercial sex workers; corner cafes; domestic servants; retail shops; taxi fare collectors
Tanzania	Animal husbandry; cloves; coffee; corn; green algae (seaweed); fishing; pyrethrum; rubber; sisal; sugar cane; tea; **tobacco**; wheat	Cotton ginning; fish processing; gemstones; mining; sawmills; stone crushing; stone quarrying	Auto repair; bars; cafes; carpentry; car washers; commercial sex workers; domestic servants; markets; restaurants; scavengers; shoeshines; small shops; street vendors; tourism
Thailand	Fishing; garlic; lychee; onions; rubber; shrimp and other seafood; **sugar cane**	Artificial flowers; candy wrapping; dolls; embroidery; fishing net production; footwear; **garments**; gems; glass; leather; **paper cups**; plastic products; rattan and wood furniture; **shrimp** and seafood processing; silver jewelry	Bakeries; car washers; **commercial sex workers**; construction; delivery boys/porters; domestic servants; gas stations; karaoke; mechanical repair shops; restaurants; retail shops; street vendors
Turkey	Animal husbandry; corn; cotton; fruits and vegetables (e.g. apricots, figs, lemons, nuts, oranges, raisins); tea; tobacco; wheat	Auto parts manufacturing; bricks; carpets; cement; footwear/leather; garments; metal industry; textiles	Auto repair; commercial sex workers; domestic servants; hotels; scavengers; shoeshines; street vendors; tourism; windshield washers

Notes: Countries included in this table are the 16 countries visited by U.S. Department of Labor officials for this report. The industries and occupations listed are not necessarily exhaustive, and the order in which they are listed is alphabetical and not an indication of the magnitude of child labor in each industry or occupation. The number of industries and occupations cited as employing child workers in a given country does not necessarily reflect the pervasiveness of child labor in that country, since there has been more extensive research on the incidence of child labor in some countries than others.

There have been reports of forced or bonded child labor in this industry/occupation.

Sources: This appendix is based on the 1998 site visits by U.S. Department of Labor officials to the 16 countries covered in this report; *By the Sweat & Toil of Children* (Volumes I through IV); unclassified portions of U.S. State Department telegrams; and additional source documents on file with the U.S. Department of Labor's Department of International Labor Affairs.

Appendix D: Relevant Child Labor Provisions

This appendix contains excerpts from child labor laws of the 16 countries studied for this report. The provisions included have been selected from relevant child labor laws and are not exhaustive. This appendix also contains a listing of each countries' ratifications, as of September 1998, of international conventions on child labor. These include ILO Conventions No. 5, 29, 59, 105, 123, and 138 and the United Nations Convention on the Rights of the Child. Table D-1 below provides each country's ratification record on these conventions.

TABLE D-1

ILO Conventions

Country	*No. 5 Minimum age for industrial sector, 1919*	*No. 29 Forced labor, 1930*	*No. 59 Minimum age, revised industry, 1937*	*No. 105 Abolition of, forced labor, 1957*	*No. 123 Minimum age, underground work, 1965*	*No. 138 Minimum age, 1973*
Bangladesh	—	1972	1972	1972	—	—
Brazil	1934	1957	—	1965	—	—
Egypt	—	1955	—	1958	—	—
Guatemala	—	1989	1989	1959	—	1990
India	1955	1954	—	—	1975	—
Kenya	—	1964	—	1964	—	1979
Mexico	—	1934	—	1959	1968	—
Nepal	—	—	—	—	—	1997
Nicaragua	—	1934	—	1967	—	1981
Pakistan	—	1957	1955	1960	—	—
Peru	—	1960	1962	1960	—	—
Philippines	—	—	1960	1960	—	1998
South Africa	—	1997	—	1997	—	—
Tanzania	1964	1962	1962	1965	—	1998*
Thailand	—	1969	—	1969	1968	—
Turkey	—	1998**	1993	1997	1992	1998**

Source: ILO Conventions and ratification dates provided by the ILO's International Standards Department, ILO/Geneva, on September 22, 1998 [on file].

* Tanzania ratified ILO Convention No. 138 in June 1998. However, the official instrument of ratification has not been registered with the ILO. Electronic Correspondence from Brenda Ingunza-Barinotto, International Standards Department, ILO/Geneva, to U.S. Department of Labor Official (September 29, 1998) and Electronic Correspondence from William Mallya, National Programme Coordinator, ILO/IPEC Tanzania, to U.S. Department of Labor Official (September 4, 1998).

**Turkey is in the process of ratifying Convention No. 29 and Convention No. 138. The Turkish Parliament recently published the ratification of Conventions No. 29 and No. 138 in the Official Gazette However, the official instrument of ratification has not been registered with the ILO. Electronic Correspondence fromBrenda Ingunza-Barinotto, International Standards Department, ILO/Geneva to U.S. Department of Labor official (September 29, 1998) [on file]. *See also* U.S. Embassy-Ankara, unclassified telegram no. 01329, February 10, 1998.

BEST COPY AVAILABLE

Bangladesh

Law/Regulation	*Relevant Child Labor Provisions*
The Children (Pledging of Labour) Act, 1937[1]	Prohibits the making of agreements to pledge the labor of children and the employment of children whose labor has been pledged. The Act defines "child" as a person who is under the age of 15 years.
The Employment of Children Act, 1938[2]	Section 3 (1): Prohibits the employment of children below 15 years in transport of passengers, goods, or mail by railway; and in works involving the handling of goods within the port area. Section 3 (3): Prohibits the employment of children below 12 years in workshops involving the process of *bidi* (small cigar) making, carpet weaving, cement manufacturing including bagging of cement, cloth printing, dyeing and weaving, manufacture of matches, explosives and fireworks, soap manufacture, tanning, wool cleaning, and others.
The Shops and Establishments Act, 1965[3]	Prohibits the employment of children up to 12 years of age in any commercial establishment (non-manufacturing undertakings).
The Factories Act, 1965[4]	Prohibits the employment of children under 14 years of age in factories. The Act defines "child" as a person who has not completed 16 years of age. Section 24: No child shall be allowed in any factory to clean, lubricate, or adjust any part of machinery while that part is in motion. Section 25: No child or young person shall work at any dangerous machine unless trained in its use. Section 29: No child shall be employed in any part of a factory for pressing cotton in which a cotton opener is at work. Section 36: No child or young person is allowed to carry by hand or head (unaided) beyond the following weight limits: Adolescent: Male - 50 lbs; Female - 40 lbs Child: Male - 35 lbs; Female - 30 lbs Section 70: No child or adolescent shall be allowed to work in any factory: i. for more than five hours in any day, and ii. between the hours of 7 p.m. and 7 a.m.

The Children's Act, 1974[5]	The Act defines a "child" as a person up to 16 years of age and provides special treatment for children under the law.
The Mines and Minerals Act,1923[6]	Section 23: Prohibits the employment of children under 15 years in mines.
The Road Transport Workers Ordinance, 1961[7]	Prohibits the employment of youths under 18 in any road transport service and the employment of youths under 21 in any road transport service for the purpose of driving a vehicle.
Selected International Agreements and Conventions ratified by the Government of Bangladesh[8]	*United Nations Convention on the Rights of the Child (1989)* - ratified in 1990.[9] *ILO Convention No. 29* (forced labor, 1930) - ratified in 1972. *ILO Convention No. 59* (revised, industry, 1937) - ratified in 1972. *ILO Convention No. 105* (abolition of forced labor, 1957) - ratified in 1972.

Sources:

[1] *Child Labour in Bangladesh: Views of the Government of Bangladesh* (Dhaka: August 1993) 4 [on file] [hereinafter *Child Labour in Bangladesh*].

[2] Wahidur Rahman, *Child Labour in Bangladesh: Its Context and Response to It* (Dhaka: ILO/IPEC, 1998) 6 [hereinafter *Context and Response*].

[3] *Ibid.* at 7.

[4] *Ibid.* at 6. *See also Child Labour in Bangladesh* at 5.

[5] *Child Labor in Bangladesh* at 4. *See also* Thérèse Blanchet, *Lost Innocence, Stolen Childhoods* (Dhaka: University Press Limited, 1996) 173-174 [hereinafter *Lost Innocence, Stolen Childhoods*].

[6] *Context and Response* at 6.

[7] *Ibid.*

[8] ILO Conventions and ratification dates provided by the ILO's International Standards Department, ILO/Geneva, on September 22, 1998 [on file].

[9] *Lost Innocence, Stolen Childhood* at 2.

Brazil

Law/Regulation	*Relevant Child Labor Provisions*
Brazilian Constitution, 1988[1]	The minimum age for admission to employment will be fourteen years. Article 7 (para. 33): Prohibits "*...nocturnal, dangerous or unhealthy labor by those of less than 18 years of age and any work whatsoever by those of less than 14 years of age, except as apprentices.*" Article 203: States that social assistance must be rendered to all those in need, independently of whether they contribute to the social security system, and gives special emphasis to providing support to needy children and adolescents. Article 227: "*It is the duty of the family, society and the State to ensure that absolute priority will be given to ensuring children and adolescents of the right to life, health, nourishment, education, leisure, professional training, culture, dignity, respect, freedom and family and community life, while also safeguarding them from all forms of negligence, discrimination, exploitation, violence, cruelty and oppression.*" Article 227: "*...the State shall sponsor programs aimed at providing total assistance to the health of children and adolescents, with the participation of nongovernmental entities, should that be required....*"
Statute of the Child and Adolescent - ECA (promulgated by Law No. 809 dated July 13, 1990)[2]	Regulates the terms enshrined in the Federal Constitution for the benefit of the nation's youth. Chapter V: Prohibits labor in all its forms to minors under 14 years of age "except as apprentices." Article 67: Prohibits working adolescents and apprentices from engaging in nocturnal, dangerous, unhealthy, hazardous, or arduous work, undertaken in establishments that jeopardize the physical, psychological, moral or social development of the minor or in establishments that do not allow children's attendance in school.[3] Article 86: Creates municipal, state and national Councils in defense of the rights of children and adolescents, composed of governmental and non-governmental entities. States that "*the policy aimed at complying with the rights of children and adolescents will be enforced through a coordinated complex of governmental and nongovernmental actions at the levels of the federal, state, municipal and Federal District governments.*" Article 131: Creates Guardianship Councils (tutelary councils) to ensure effective enforcement of statutory proposals. These Councils are permanent and autonomous nonjurisdictional bodies charged with the task of overseeing compliance with the rights of children and adolescents.

Organic Social Assistance Law - LOAS (promulgated on December 7, 1993, by Law No. 8742)[4]	Regulates Articles 203 and 204 of the Constitution and establishes a system of social protection for the most vulnerable groups in the population. This protection is to be provided through benefits, services, programs, and projects. Article 2: States that, among others, social assistance has the following objectives: (i) protection of family, childhood and adolescence; (ii) support to needy children and adolescents.
Consolidated Labor Law (1943)[5]	Article 402: Defines minors as those workers between 14 and 18 years old. Article 403: Prohibits work for minors under 14. Work for those under 14 is subject to the conditions established in this law and the attendance and attainment of primary education and it is limited to work that is light and non-hazardous to their health and normal development. Article 404: Prohibits minors under 18 from engaging in nocturnal work between the hours of 10 p.m. and 5 a.m. Article 405: Minors are prohibited from work in: (I) dangerous or unhealthy establishments or services, as established by the Director General of the National Department of Occupational Safety and Health, and (II) establishments or services that jeopardize the morals of minors. Apprentices above the age of 16 are exempted from item (I) as long as the place of work has been visited and approved by the pertinent occupational safety and health authorities, and minors are subjected to a medical exam on a quarterly basis. Street work shall be authorized by the Judge of Minors to verify that the work is indispensable for a child's survival or that of his/her parents, grandparents or siblings, and that the work does not jeopardize his/her moral development.

Sources: *Child Labor in Brazil: Issues and Policies* (Brasilia: Presidência da República/Câmara de Politica Social, 1997) 27-29.

[2] *Ibid.* at 29-31.

[3] *Estatuto da Criança e do Adolescente*, Lei Federal No. 8069 (Brasilia: July 13, 1990).

[4] *Ibid.* at 32.

[5] *Consolidação das Leis do Trabalho* (Brasilia: November 10, 1943).

Egypt

Law/Regulation	***Relevant Child Labor Provisions***
Child Law, (Law No. 12 for the year 1996)[1]	Article 2: *"In the scope of welfare and protection as prescribed in this law, the term child shall mean all [an] individual who has not attained the age of 18 complete calendar years."* Article 64: *"Children shall not be employed for work before attaining 14 complete calendar years of age. Nor shall they be provided with training before they attain 12 calendar years of age.* *Children of 12 to 14 years of age may, by decree of the concerned Governor, after obtaining the approval of the Minister of Education, be employed for seasonal work which should cause no harm to their health or growth, nor disturb their studies."* Article 65: *"The Executive Statutes shall indicate the system of employing the children and the conditions, circumstances and cases in which they are employed, as well as the works, crafts, and trades in which they shall be engaged, in accordance with age limitations."* Article 66: *"A child shall not be employed to work for more than six hours a day, and the working hours shall comprise a meal and rest interval or more than one interval amounting to a total of not less than one hour. These periods shall be determined so the child shall not be made to work more than four continuous hours.* *Children shall not be employed to work overtime, or work during the weekly rest days or official holidays. In all cases, children shall not be made to work between 8 p.m. and 7 a.m."*
Ministerial Decree No. 12, 1982 (issued February 6, 1992)[1]	Prohibits employment of children under 15 in the following crafts/industries: 1) Furnaces/ovens in bakeries; 2) Cement factories; 3) Petroleum distillation labs; 4) Freezing units; 5) Ice making; 6) Mechanical oil pressing; 7) Fertilizers, acids and chemicals; 8) Cotton bailing; 9) Pressurized gas filling; 10) Bleaching, dying and fabric/textile printing; 11) Lifting weights, or pulling or pushing loads exceeding certain a weight.
Ministerial Decree No. 13 of 1982 (issued February 6, 1992)	Prohibits employment of children under 17 in the following crafts/industries: 1) Mining and extraction of metals and rocks; 2) Ovens for melting, distilling, or producing metals; 3) Coating mirrors with mercury; 4) Explosives and related activities; 5) Melting and processing of glass; 6) Oxygen, acetylene, or electrical welding; 7) Alcoholic beverages; 8) Vehicle paint; 9) Treatment, preparation, storing, or extraction of silver from ash containing lead, and extraction of silver from lead; 10) Tin containers, containing more than 10 percent lead; 11) Different kinds of lead; 12) Electrical batteries; 13) Cleaning of certain workshops; 14) Operating engines; 15) Fixing/cleaning engines in operation; 16) Tar production; 17) Tanneries; 18) Fertilizers extracted from manure, bones.

	or blood; 19) Skinning, sectioning, and fat extraction of animals; 20) Rubber industry; 21) Transporting passengers; 22) Loading and unloading of cargo; 23) Stacking cotton seed in ship cargo holes; 24) Coke production; 25) Hostesses in nightclubs; 26) Bars.
Selected International Agreements and Conventions ratified by the Government of Egypt[4]	*United Nations Convention on the Rights of the Child (1989)* - ratified in 1990.[5] *ILO Convention No. 29* (forced labor, 1930) - ratified in 1955. *ILO Convention No. 105* (abolition of forced labor, 1957) - ratified in 1958.

Sources:

[1] *Law No. 12 for the year 1996, Enacting the Child Law* (Cairo: Official Journal, Issue No. 13, 1996) 30-31.

[2] JL Guirguis, "Children Work in Hazardous Jobs" (1998) 1 [on file].

[3] *Ibid.* at 1-2.

[4] ILO Conventions and ratification dates provided by the ILO's International Standards Department, ILO/Geneva, on September 22, 1998 [on file].

[5] *United Nations Convention on the Rights of the Child* (www.un.org/Depts/Treaty/final/ts2/newfiles/part_boo/iv_boo/iv_11.html).

Guatetmala

Law/Regulation	Relevant Child Labor Provisions*
Guatemalan Constitution, 1985 (as amended in 1993)	Article 50: *"The State shall protect the physical, mental and moral health of minors and older persons. It shall guarantee their right to food, health, education and social welfare and security."*[1] Article 102 Part L: *"Minors under 14 years of age cannot be employed in any type of work, with exceptions established by law. It is forbidden to employ minors in work incompatible with their physical capacity or which endangers their moral formation."*[2]
Labor Code, 1947 (Decree No. 64-92) (revised in 1995)[3]	Article 116: *"Establishes the workday as eight hours a day and the work week as no more than 48 hours."* Article 147: *"Work of women and minors must be tailored specially to their age, physical condition, and intellectual and moral development."* Article 148: *"The following are prohibited:* *(a) work by women and minors in unhealthy or dangerous places;* *(b) [suppressed];* *(c) night work and overtime work for minors;* *(d) daytime work of minors in bars and other similar establishments where alcoholic beverages for immediate consumption are served;* *(e) work of children below 14 years."* Article 149: *"The daytime workday for minors as established in Article 116, paragraph 1, must be reduced by an hour a day and by six hours a week for those over 14 years and by two hours a day and by 12 hours a week for those who are 14 and younger as long as their work is authorized in accordance with Article 150."* [Minors 14 or younger may work 6 hours a day and 36 hours a week. Those over 14 years may work 7 hours a day and 42 hours a week]. Article 150: *"The General Inspectorate of Work can give, in exceptional cases, written authorization to permit normal daytime work by minors under 14 years of age or, to decrease or eliminate the reductions stated in Article 149.* *Parties interested in having the necessary authorizations granted must prove: (a) that the minor will work as an apprentice or that he/she needs to contribute to the family income, due to extreme poverty of his/her parents or guardian; (b) that the work is light in duration and intensity, compatible with the physical, mental, and moral health of the minor; and (c) that in some way the obligation of school attendance is met.* *Each written authorization must clearly state the minimal conditions under which minors may work."*
Childhood and Youth Code, 1996 (Decree No. 78-96)[4]	Article 2: *"For the purpose of this law, children are defined as all persons from conception through 12 years of age, and youth [adolescents] are all persons from age 12 to 18 years of age."* Article 7: *"No child or youth shall be subjected to any kind of negligence, discrimination, marginalization, exploitation, violence, cruelty or oppression punishable by law."* Article 9: *"Children and youth have a fundamental right to life. The State is obliged to guarantee their survival*

	and development. Children and youth have the right to the protection, care, and assistance they need to achieve adequate physical, mental, and social development. These rights apply from the time of their conception." Article 17: *"Children and youth have the right to report violations of their rights to the nearest local authority with the aim of guaranteeing human respect, protection and restitution of these rights."* Article 53: *"Children and youth have the right to be protected against economic exploitation, work that might be hazardous to their physical and mental health, or that impedes their access to education. Children and youth have the right to be protected by the State, family, and society so that they can dedicate themselves to education, sports, culture, and recreation appropriate to their age, benefiting their physical and mental health."* Article 62: *"Working youth are those who directly participate in an activity that generates income on a formal, informal, or family basis. The work must be fairly remunerated and undertaken in conditions suited to their age, capacity, and physical and intellectual development, as well as their moral and cultural values, and must not interfere with school attendance."* Article 63: *"Working youth in the formal sector are defined as those older than 14 years of age, who have an individual or a juridical employer, or who work for an enterprise according to the norms of the Commercial Code, in a relationship of subordination and dependence, with a set work schedule, and subject to an individual work contract."* Article 64: *"Working youth in the informal sector are defined as those older than 14 who undertake work activities on their own or for an employer who is commercially active but does not comply with the tax and commercial legislation of the country."* Article 65: *"Youth below 14 years of age are prohibited from working, except as set forth in article 150, with properly regulated and prior authorization from the Protection Unit for Working Youth."* Article 66: *"Working youth shall be protected not only by the norms contained in this Code, but also those in the Political Constitution, the Labor Code, and the International Conventions on this matter that have been ratified by Guatemala."*
Selected International Agreements and Conventions ratified by the Government of Guatemala[5]	*United Nations Conventions on the Rights of the Child* (1989) - ratified in 1990.[6] *ILO Convention No. 29* (forced labor, 1930) - ratified in 1989. *ILO Convention No. 59* (minimum age, revised, industry, 1937) - ratified in 1989. *ILO Convention No. 105* (abolition of forced labor, 1957) - ratified in 1959. *ILO Convention No. 138* (minimum age, 1973) - ratified in 1990

Notes: Some provisions are unofficial translations

Sources:
[1] *Guatemala* (Cartegena: Sistema Regional de Información sobre Trabajo Infantil - ILO/IPEC, 1997) 16-20 .
[2] Gisbert H. Flanz, *Constitutions of the Countries of the World* (New York: Oceana Publications, January 1997) 27.
[3] *Codigo de Trabajo de la Republica de Guatemala* (Guatemala City: Ministerio de Trabajo y Previsión Social, 1996) 44, 51-53.
[4] *Código de la Niñez y la Juventud*, Decreto Numero 78-96 (Guatemala: Congresso de la República de Guatemala, 1990). This code will go into effect during the year 2000.
[5] ILO Conventions and ratification dates provided by the ILO's International Standards Department, ILO/Geneva, on September 22, 1998 [on file].
[6] *United Nations Convention on the Rights of the Child* (www.un.org/Depts/Treaty/final/ts2/newfiles/part_boo/iv_boo/iv_11.html).

175

India

Law/Regulation	Relevant Child Labor Provisions
Constitution of India, 1949[1]	Article 23: Prohibition of traffic in human beings and forced labor - (1) Traffic in human beings and *begar* and other similar forms of forced labor are prohibited and any contravention of this provision shall be an offence punishable in accordance with law. Article 24: Prohibition of employment of children in factories, etc. - No child below the age of 14 years shall be employed to work in any factory or mine or be engaged in any other hazardous employment. Article 39: Certain principles of policy to be followed by the State - The State shall, in particular, direct its policy securing - (e) that the health and strength of workers, men and women, and the tender age of children are not abused and that citizens are not forced by economic necessity to enter avocations unsuited to their age or strength. (f) that children are given opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity and that childhood and youth are protected against exploitation and against moral and material abandonment.
Factories Act, 1948[2]	Section 67: No child who has not completed his fourteenth year shall be required or allowed to work in any factory.
Mines Act, 1952[3]	Section 40: Prohibits employment of persons below 18 years of age in a mine or part thereof. Section 45: (1) No child shall be employed in any mine, nor shall any child be allowed to be present in any part of a mine which is below ground or in any (open cast working) in which any mining operations are being carried on.
The Child Labour Prohibition and Regulation Act, 1986[4]	A "child" is a person who has not completed his/her fourteenth year of age. Part II Section 3: Prohibition of employment of children in certain occupations and processes - No child shall be employed or permitted to work in any of the occupations set forth in Part A of the Schedule or in any workshop wherein any of the processes set forth in Part B of the Schedule is carried on: Provided that nothing in this section shall apply to any workshop wherein any process is carried on by the occupier with the aid of his family or to any school established by, or receiving assistance or recognition from, Government. Schedule Part A: Any occupation connected with - (1) Transport of passengers, goods or mail by railway; (2) Cinder picking, clearing of an ash pit or building operation in the railway premises; (3) Work in catering establishment at a railway station, involving the movement of a vendor or any other employee of the establishment from one platform to another or into or out of a moving train; (4) Work relating to the construction of a railway station or with any other work where such work is done in close proximity to or between the railway lines; (5) A port authority within limits of any port; (6) Work relating to selling of crackers and fire-works in shops with temporary licences; (7) Abattoirs/Slaughterhouses. Part B: (1) *Bidi*-making; (2) Carpet-weaving; (3) Cement manufacture, including bagging of cement; (4) Cloth printing, dyeing and weaving; (5) Manufacture of matches, explosives and fire-works; (6) Mica-cutting and splitting;

	(7)Shellac manufacture; (8) Soap manufacture, (9) Tanning; (10) Wool-cleaning; (11) Building and construction industry; (12) Manufacture of slate pencils (including packing); (13) Manufacture of products from agate; (14) Manufacturing processes using toxic metals and substances such as lead, mercury, managanes, chromium, cadmium, benzene, pesticides and asbestos; (15)"Hazardous processes" as defined in section 2(cb) and 'dangerous operations' as notified in rules made under section 87 of the Factories Act, 1948 (63 of 1948); (16) Printing as defined in section 2(k) (iv) of the Factories act, 1948(63 of 1948); (17) Cashew and cashew nut descaling and processing; (18) Soldering process in electronic industries.
Apprentices Act, 1961[5]	Section 3: Prohibits employment of any person (as an apprentice) who has not completed 14 years of age.
Merchant Shipping Act, 1951 [as amended][6]	Section 109: No person under fourteen years of age shall be engaged or carried to sea to work in any capacity in any ship except: (a) in a school ship or training ship, in accordance with the prescribed conditions; or (b) in a ship in which all persons employed are members of one family; or (c) in a home-trade ship of less than two hundred tons gross; or (d) where such person is to be employed on nominal wages and will be in the charge of his father or other adult near male relative.
Beedi and Cigar Workers (Conditions of Employment) Act, 1966[7]	Section 2: Definition of child: below 15 years of age. Section 24: No child shall be required or allowed to work in any industrial premises.
Motor Transport Workers Act, 1961[8]	Defines "child" as below 14 years of age. Section 21: No child shall be allowed to work in any motor transport undertaking.
The W.B. Shops & Establishment Act, 1963[9]	Section 9: Prohibits the employment of children below 12 years of age in any shop or establishment.
Selected International Agreements and Conventions ratified by the Government of India[10]	*United Nations Convention on the Rights of the Child (1989)* - ratified in 1992.[11] *ILO Convention No. 5* (minimum age for industrial sector, 1919)- ratified in 1955. *ILO Convention No. 29* (forced Labor, 1930) - ratified in 1954. *ILO Convention No. 123* (minimum age for underground work, 1965) - ratified in 1975.

Sources:

[1] *Child Labour: Challenge and Response* (Noida: National Resource Centre on Child Labor, V.V. Giri National Labour Institute, 1998) 13-15.

[2] *Survey on Child Labor* (West Bengal: Labour Department, March 1997) 12 [hereinafter *Survey on Child Labor*].

[3] *Ibid.* at 12 and 26..

[4] *Ibid.* at 1. "Written Submission by the Embassy of India," *Public Hearings on International Child Labor*, (Washington, D.C.: U.S. Department of Labor, February 13, 1998) 15.

[5] *Survey on Child Labour* at 12.

[6] *Ibid.* at 5 and 26.

[7] *Ibid.* at 12.

[8] *Ibid.*

[9] *Ibid.* at 13.

[10] ILO Conventions and ratification dates provided by the ILO's International Standards Department, ILO/Geneva, on September 22, 1998 [on file].

[11] "Child Labour in India," UNICEF Press release (New Delhi: UNICEF Information Service, 1996) 3.

Kenya

Law/Regulation	*Relevant Child Labor Provisions*
The Employment Act (Cap. 226) 1976[1]	Section 2: Defines a child as an individual, male or female, who has not attained the age of 16 years. The provisions of the Act prohibit employment of children in any "industrial undertaking" which includes mines, quarries and other works for the extraction of any substance from or from under the surface of the earth, factories, construction sites, transportation of passengers or goods, open cast workings or sub-surface workings which are entered by means of a shaft, etc.
The Employment of Women, Young Persons and Children's Act (Cap. 227) 1948[2]	The Act regulates the employment of young persons and children, among other things. Part II, clauses 4 and 5: Restricts the employment of children and young persons in prescribed industrial undertakings. Part II, section 6: Empowers the President of the nation to prohibit employment of children in certain economic sectors.
The Employment (Children) Rules, 1977[3]	1. These Rules shall apply to any type of employment, except employment as an apprentice or as an indentured learner. 2. (1) No person shall employ any child without the prior written permission of an authorized officer, provided that no permission shall be given to employ any child: (i) in such circumstances as would cause the child to reside away from its parents or guardian unless the parents' or guardian's approval to such employment has first been obtained in writing; or (ii) in any bar, hotel, restaurant or club where intoxicating liquor is sold or anywhere as a tourist guide unless the Labor Commissioner has consented in writing to such employment and the child is in possession of a copy of the consent. (2) Every permit issued under this rule must be renewed annually. (3) A person who employs a child, or causes a child to be employed without prior written permission of an authorized officer, whether or not the person is a parent or guardian of such child, shall be guilty of an offense. (4) Every person authorized to employ more than 10 children on a permanent basis shall designate a person to be approved by the labor commissioner to be responsible for the welfare of the children. (5) Any person who fails to comply with any of these Rules, shall be guilty of an offense and upon conviction shall be liable to a fine not exceeding 4,000 shillings (US$ 70).

	(6) Section 28 of the Employment Act stipulates that children should not be employed in any industrial undertaking between the hours of 6:30 p.m. and 6:30 a.m.
The Children and Young Persons Act, 1963 (Cap. 141)[4]	Section II defines a "child" as a person under the age of 14 years. A juvenile is a person between 14 and 16 years. This Act protects children from abuse, either physical, sexual or mental; and abandonment, ill treatment or neglect by either a parent or a guardian.
The Industrial Training Act, 1963 (Cap. 237)[5]	This Act regulates training of persons engaged in industry. It provides that a minor shall not bind himself as an apprentice or indentured learner except with the consent of his parent or guardian, or if there is no guardian/parent, with the consent of the District Officer or Labour Officer.
The Regulations of Wages and Conditions of Employment Act, 1951 (Cap. 229)[6]	This Act defines wages payable to both adults and children under the age of 18 which include apprenticeship and indentured learners.
Selected International Agreements and Conventions ratified by the Government of Kenya[7]	*United Nations Convention on the Rights of the Child (1989)* - in 1990.[8] *ILO Convention No. 29* (forced labor, 1930)- ratified in 1964. *ILO Convention No. 105* (abolition of forced labor, 1957) - ratified in 1964. *ILO Convention No. 138* (minimum age, 1973) - ratified in 1979.

Sources:

[1] *FKE Guidelines on Employment of Children* (Nairobi: Federation of Kenya Employers, 1996) 2 [on file] [hereinafter "FKE Guidelines"].

[2] Benson Odera Oyuga, Collette Suda, and Afia Mugambi, *A Study of Action against Child Labour in Kenya: Towards a Best Practice Guide on Sustainable Action against Child Labour for Policy Makers* (Nairobi: ILO/IPEC, 1997) 26 [hereinafter *Action against Child Labour in Kenya*].

[3] "FKE Guidelines" at 2.

[4] *Action against Child Labour in Kenya* at 29.

[5] *Ibid.* at 28. Under the Age of Majority Act (Cap. 33), minors are all those under the age of 18.

[6] *Ibid.*

[7] ILO Conventions and ratification dates provided by the ILO's International Standards Department, ILO/Geneva, on September 22, 1998 [on file].

[8] *United Nations Convention on the Rights of the Child* (www.un.org/Depts/Treaty/final/ts2/newfiles/part_boo/iv_boo/iv_11.html).

BEST COPY AVAILABLE

Mexico

Law/Regulation	***Relevant Child Labor Provisions***
Constitution of Mexico, 1917[1]	Article 123: Prohibits work by minors under 14 years and restricts work to a maximum workday of six hours for those between the ages of 14 and 16. Prohibits unhealthful, dangerous, or industrial night work by minors under 16 years.
Federal Labor Law, 1995[2]	Section 22: Employment of minors *"It shall be unlawful to employ children under 14 years of age and those between 14 and 16 years of age who have not completed their compulsory education, except in such cases approved by the competent authority, where, in the opinion of such authority, the employment does not exclude the possibility of completing the child's education."* Section 23: Employment of persons over 16 years of age *"Any person who has reached 16 years of age may give his services freely, subject to the limits laid down in this law. Children between 14 and 16 years of age shall require the authorization of their parents or guardian, or failing this, the authorization of the trade union of which they are a member, of the Conciliation and Arbitration Board, and the Inspectorate of Labor of the government authority.* *Persons under full legal age who are in employment shall have the right to have their wages paid to them in person and institute any legal proceedings in connection therewith."* Section 29: Employment of young persons of less than 18 years of age abroad *"It shall be unlawful to employ young persons under 18 years of age for employment outside the Republic, except in the case of persons with technical or professional training, artists, athletes and specialized workers in general."* Article 173: Young persons between 14 and 16 years of age *"The work of persons that are older than 14 years and younger than 16 years is subject to special regulation and protections by the Labor Ministry."* Article 174: Medical examination of persons 14 and 16 years of age *"Young persons between 14 and 16 years of age shall obtain a medical certificate stating their aptitude for the work and shall undergo such medical examinations as may be periodically ordered by the Inspectorate of Labor. It shall be unlawful for an employer to give employment to any such young person without production of the said certificate."* Article 175: Prohibition of minors from certain labor *"It shall be unlawful to employ young persons under:* *I. 16 years in:* *a) premises for the sale of intoxicating drinks for consumption on the premises; b) work liable to affect their morals or conduct; c) work involving traveling or itinerance except with a special authorization from the Inspectorate of Labor; d) employment underground or underwater; e) dangerous or unhealthy work; f) work exceeding the young persons' strength or work which might hinder or retard their normal physical development; g) establishments other than industrial establishments, after 10 p.m.; and h) such other operations as may be prescribed by law.* *II. 18 years, in night work in industry."*

	Article 176: Dangerous or unhealthy work for minors *"The term dangerous or unhealthy work used in the preceding article shall mean work which, on account of its nature, the physical, chemical or biological conditions of the environment in which it is performed or the composition of the raw material used, is capable of affecting the life, development and physical and mental health of young persons.* *The operations falling within the above definitions shall be specified by regulations."* Article 177: Hours of work for persons under 16 years of age *"The daily hours of work of young people under 16 years of age shall not exceed six a day, divided into periods not exceeding three hours. They shall be entitled to a rest period of at least one hour between the daily work periods."* Article 180: Obligations of employers to minors under 16 years of age (Amended by Decree of April 28th, 1978) *"Employers having young persons under 16 years of age in their service shall be bound to:* *1) insist that they produce a medical certificate to the effect that they have the aptitude for the work; 2) keep a special register available for inspection indicating for each young person his date of birth, the kind of work he is engaged in, his times of attendance for work, wages and other general conditions of employment; 3) assign the work in such a way that the young persons have the necessary free time to complete their school curriculum; 4) furnish vocational training to them as prescribed by this Law; 5) supply to the Inspectorate of Labor such information and reports as it may require."*
Federal Regulation on Occupational Safety, Health, and Environment, 1997[3]	Article 158: *"The provisions of this article aim to protect the life, development, physical and mental health of underage workers, referred to in Title V of this Law."* Article 159: *"Persons 14 to 16 years old may not work in unhealthy or hazardous work, including transport or handling of teratogenic or mutagenic substances; exposure to ionizing radiation; work conducted in perforation towers or maritime platforms; submarine, underground, or mining work; confined spaces; and welding."* Article 160: *"Persons under 18 may not engage in work involving exposure to ionizing radiation."*
Selected International Agreements and Conventions ratified by the Government of Mexico[4]	*United Nations Convention on the Rights of the Child (1989)* - ratified in 1990.[5] *ILO Convention No. 29* (forced labor, 1930) - ratified in 1934. *ILO Convention No. 105* (abolition of forced labor, 1957) - ratified in 1959. *ILO Convention No. 123* (minimum age, underground work, 1965) - ratified in 1968.

Sources:
[1] *1917 Constitution of Mexico* (www.msstate.edu/Archives/History/Latin_America/Mexico/1917const.html).
[2] "Federal Labor Law of Mexico," *Commercial Laws of the World* (Florida: Foreign Tax Law Inc., 1996) 36-37.
[3] *Reglamento Federal de Seguridad, Higiene y Medio Ambiente de Trabajo* (Mexico City: Secretaria del Trabajo y Previsión Social, 1997) 63-64.
[4] ILO Conventions and ratification dates provided by the ILO's International Standards Department, ILO/Geneva, on September 22, 1998 [on file].
[5] *United Nations Convention on the Rights of the Child* (www.un.org/Depts/Treaty/final/ts2/newfiles/part_boo/iv_boo/iv_11.html).

Nepal

Law/Regulation	Relevant Child Labor Provisions
The Constitution of the Kingdom of Nepal, 1990[1]	Article 11: Guarantees equality before the law to all citizens and equal protection of the law to all persons. It further lays down that the aforesaid provisions will not prevent the state from making special provisions for the protection and advancement of children. Article 20: Guarantees the right against exploitation. Declares that traffic in human beings, slavery, serfdom, or forced labour in any form is prohibited. Also prohibits the employment of minors in any factory, mine or any other hazardous work. Article 26 (8): Places an obligation on the state to make necessary arrangements to safeguard the rights and interest of children and to ensure that they are not exploited.
The Children's Act, 1992[2]	Defines a child as a boy or girl below the age of 16 years. Section 17: Prohibits the employment of children below 14 years. The section further states that a child shall not be engaged as a laborer against his will. Section 18: Prohibits engaging a child in work likely to be harmful or hazardous to the child's health and life. Section 25: Prohibits a guardian from engaging a child in work requiring more labor than his physical capacity or which "may hurt his religious or cultural usage."
The Children Rules, 1995[3]	Prescribe the functions of the Central Child Welfare Board and the District Child Welfare Boards. One function of the Central Child Welfare Board is to identify effective measures to end child labour, child marriage, and child sacrifice and to encourage governmental and nongovernmental agencies to implement the measures.
The Common Law Code (1963)[4]	Prohibits human trafficking.
Human Trafficking (Control) Act (1986)[5]	Taking a person to a foreign country with the intention of selling him/her is punishable with imprisonment for a term extending from five to ten years. Selling a person is also punishable.
Citizens Rights Act, 1955[6]	Section 14: A child below 14 years cannot be employed in any factory or mine or any other hazardous work.
Begging (Prohibition) Act, 1962[7]	A guardian or any other person is prohibited from engaging a child (below the age of 16 years) in begging.
Foreign Employment Act, 1985[8]	A licence holder is not allowed to promote the employment of a minor abroad.

The Labour Act, 1992[9]	Defines a "child" as a person who has not attained the age of 14 years and a minor as a person who has attained the age of 14 years but has not completed the age of 18 years. Section 5: Prohibits the employment of children and prohibits minors from working at night from 6:00 p.m. to 6:00 a.m. except under prescribed conditions. Section 31: States that in case it is required to inspect, lubricate, or adjust any part of dangerous machinery while it is in motion, only an adult worker or employee who is trained and experienced in the job may be engaged to perform the work.
The Labour Rules, 1993[10]	Section (3) 1: Prohibits minors between the ages of 14 and 16 from working more than six hours a day and 36 hours a week. Section (3) 2: Permits the employment of a minor above the age of 16 years as a worker or employee in the night time under a mutual agreement between such worker or employee and the General Manger. Section 43: Prescribes that minors who have not attained the age of 16 years shall not be employed on hydraulic and other machine-operated presses, milling machines used in metal industries, guillotine machinery, circular saws, or other dangerous machines or in operations hazardous to health.
Selected International Agreements and Conventions ratified by the Government of Nepal[11]	*United Nations Convention on the Rights of the Child (1989)* - ratified in 1990.[12] *ILO Convention No. 138* (minimum age, 1973) - ratified in 1997.

Sources:
[1] *Child Labour in Nepal, Volume II: An Overview and a Proposed Plan of Action* (Kathmandu: ILO/IPEC, 1995) 22 [hereinafter *Child Labour in Nepal*].
[2] *Ibid.* at 25. *See also* the Children's Act, 1992, Section 2 (a).
[3] *Child Labour in Nepal* at 26.
[4] *Ibid.* at 27.
[5] *Ibid.*
[6] *Ibid.*
[7] *Ibid.*
[8] *Ibid.*
[9] *Ibid.* at 22-24.
[10] *Ibid.* at 23-24.
[11] ILO Conventions and ratification dates provided by the ILO's International Standards Department, ILO/Geneva, on September 22, 1998 [on file].
[12] *Child Labor in Nepal* at 20.

Nicaragua

Law/Regulation	*Relevant Child Labor Provisions*
Constitution of Nicaragua, 1987[1]	Article 84: *"The employment of minors is prohibited in work that can affect their normal development or compulsory education. Children and adolescents shall be protected against any kind of economic and social exploitation."*
Labor Code, 1996 Title VI on the Work of Children and Adolescents[2]	Article 130: *"A child or adolescent who through remuneration takes part in productive activities or provides material, intellectual, or other services is considered to be working."* Article 131: *"The minimum age for work will be 14 years; the General Inspectorate of Labor shall regulate the exceptions."* Article 132: *"The State, employers, and families have the obligation to protect children and adolescents, preventing them from undertaking any activity or work that harms their educational, physical and intellectual, moral, spiritual or social development."* Article 133: *"Working adolescents and children are prohibited from undertaking work that is unhealthy or morally dangerous, such as work in mines, underground, garbage dumps, nightclubs, or that implies handling objects and psychotropic or toxic substances, and night work in general.* *These prohibitions cannot not be invoked to deny the labor rights established in this Code."* Article 134: *"Children and adolescents have the right to:* *(a) Undertake work that goes towards satisfying their basic necessities, under conditions of respect and enjoyment of their fundamental rights; (b) Equal pay for work that is equal to that of the other workers; (c) Be paid in legal tender, with payment in kind being prohibited; (d) Have working conditions that guarantee their safety, health, hygiene, and protection against occupational hazards; (e) A working day not exceeding six hours a day or 30 hours a week; (f) The benefits of social security and special health programs; (g) Have access to and attend school modalities and schedules compatible with their interests and labor situation; (h) Participate in and organize labor unions; (i) Gain access to training through an apprenticeship system; and (j) The other rights established by this code and those emanating from collective agreements and conventions.* *Adolescents have juridical capacity to enter into work contracts. The work of children must be contracted with their parents or legal representative."* Article 135: *"Violations of the labor rights of working children and adolescents will be sanctioned with fines of 500 to 5,000 córdobas [US$ 47 to US$ 470], imposed by the Department of Labor inspector without prejudice to the labor claims that the child or adolescent or their legal representative may present before the respective labor courts."* Article 136: *"The prohibitions established in Article 133 also apply to persons below 18 years of age."* Article *137: "The good intentions of individuals of social institutions dedicated to the teaching or care of destitute children do not justify the economic exploitation or mistreatment of these minors.* *When complaints are made by social institutions or individuals regarding exploitation of this type, the Ministry of Labor will name a commission to investigate, and if the complaint is proven, will uphold the economic and social rights of the minors through the labor authorities and courts."*

Code of Childhood and Adolescence, 1998 (Law No. 287)[3]	Article 2: *"This code considers children to be those below the age of 13 and adolescents those between the ages of 13 to 18 years old."* Article 5: *"No child or adolescent shall be the object of any form of discrimination, exploitation, illegal relocation within or outside the country, violence, abuse, or physical, psychological, and sexual mistreatment, as well as inhumane, terrorizing, humiliating, oppressive, or cruel treatment, whether intentionally or by negligence, by action or omission of his/her rights and liberties."* Article 73: *"It is prohibited to hire children and adolescents in any work. Enterprises and natural or juridical persons will not be able to hire minors below 14 years."* Article 74: *"Adolescents may not undertake any type of work in unhealthy places and places that pose risks to their life, health, physical, psychic or moral integrity, such as work in mines, underground, garbage dumps, night clubs, work that involves handling toxic and psychotropic objects and substances, and work at night in general."* Article 75: *"In cases where adolescents are allowed to work, the following norms will be followed:* (a) *Respect and guarantee their condition as developing persons;* (b) *Receive adequate instruction regarding the work undertaken;* (c) *Submit to medical exams at least once a year in order to determine if the work undertaken is undermining their health or normal devement;* (d) *Guarantee the continuation of their education process.* *Work of adolescents must be supervised by the Ministry of Labor and the corresponding institution to guarantee compliance with the safeguards established in this Code and other laws and regulations."*
Selected International Agreements and Conventions ratified by the Government of Nicaragua[4]	*United Nations Convention on the Rights of the Child (1989)* - ratified in 1990.[5] *ILO Convention No. 29* (forced labor, 1930) - ratified in 1934. *ILO Convention No. 105* (abolition of forced labor, 1957) - ratified in 1967. *ILO Convention No. 138* (minimum age, 1973) - ratified in 1981. *ILO Convention No. 5* (minimum age, industry, 1919) - ratified in 1934.

Notes: Some provisions are unofficial translations.

Sources:
[1] *Nicaragua* (Cartegena: Sistema Regional de Información sobre Trabajo Infantil - ILO/IPEC, 1997) 18-19.
[2] *Ley 185, Codigo de Trabajo: República de Nicaragua*, La Gaceta No. 205 (Managua: Government of Nicaragua, 1997) 39-47.
[3] *Codigo de la Niñez y la Adolescentes*, Law No. 287 (Lima: Ministry of Justice, 1993) 17 [Hereinafter *Codigo de los Niños y Adolescentes*].
[4] ILO Conventions and ratification dates provided by the ILO's International Standards Department, ILO/Geneva, on September 22, 1998 [on file].
[5] *United Nations Convention on the Rights of the Child* (www.un.org/Depts/Treaty/final/ts2/newfiles/part_boo/iv_boo/iv_11.html).

Pakistan

Law/Regulation	*Relevant Child Labor Provisions*
Constitution of Pakistan, 1973[1]	Article 11 (3): No child below the age of 14 years shall be engaged in any factory or mine or any hazardous employment.
The Factories Act, 1934[2]	Article 50: Prohibition of employment of young children No child who has not completed his 14th year shall be allowed to work in any factory.
Employment of Children Act, 1991, (Act. No. V)[3]	Prohibits the employment of children in certain occupations and regulates the conditions of work of children. Section 2: Defines "child" as a person who has not completed his 14th year of age. Section 3: No child shall be employed or permitted to work in any of the occupations set forth in Part I of the Schedule or in any workshop wherein any of the processes set forth in Part II of the Schedule is carried on. Part I: Occupations (1) transport of passengers, goods or mails by railway; (2) cinder picking, cleaning of an ash pit or building operation in the railway premises; (3) work in a catering establishment at a railway station, involving the movement of a vendor or any other employee of the establishment from one platform to another or into or out of a moving train; (4) work relating to the construction of a railway station or with any other work where such work is done in close proximity to or between the railway lines; (5) a port authority within the limits of any port; and (6) work relating to selling of firecrackers and fireworks in shops with temporary license. Part II: Processes (1) *Bidi*-making; (2) Carpet-weaving; (3) Cement manufacture, including bagging of cement; (4) Cloth printing, dyeing, and weaving; (5) Manufacture of matches, explosives and fire-works; (6) Mica-cutting and slotting; (7) Shellac manufacture; (8) Soap manufacture; (9) Tanning; (10) Wool-cleaning; (11) Building and construction industry; (12) Manufacture of slate pencils, including packing; (13) Manufacture of products from agate; (14) Manufacturing process using toxic metals and substances such as lead, mercury, manganese, chromium, cadmium, benzene, pesticides and asbestos. Section 7: (1) No child or adolescent shall be required to work in any establishment in excess of such number of hours as may be prescribed for such establishment or class of establishments. (2) The period of work on each day shall be so fixed that no period shall exceed three hours and that no child shall work for more than three hours before he has an interval of at least one hour for rest. (3) The period of work of a child shall be so arranged that inclusive of the interval for rest, under subsection (2), it shall not exceed seven hours, including the time spent in waiting for work on any day.
Shops and Establishment Ordinance, 1969[4]	Prohibits employment of children below the age of 14 years from working in any establishment.
The Mines Act, 1923[5]	Prohibits employment of children below the age of 14 years from working in mines.
Road Transport Workers Ordinance, 1961[6]	No person other than a driver can be employed in any road transport service unless he or she has attained the age of 18 years. For purposes of driving a vehicle in road transport service, the age is fixed at 21 years.
The Bonded Labor System (Abolition) Act, 1992[7]	This Act abolishes the bonded labor system and terminates all obligations of a bonded laborer to repay any bonded debt or any remaining part of an unsatisfied bonded debt. Under the Act, creditors have been prohibited from accepting any payment against any bonded debt.

The Merchant Shipping Act, 1923[8]	Definitions: "Coasting ship" means a ship exclusively employed in trading between any ports or places on the Indo-Pakistan continent, on the island of Ceylon or in Burma; "young lascar" means a lascar or other native seaman under 18 years of age; and "young person" means a person under 18 years of age, and includes a young lascar. Section 37-B: Employment of children No young person under 14 years of age shall be engaged or carried to sea to work in any capacity in any ship registered in Pakistan and no young lascar under 14 years of age shall be engaged or carried to sea to work in any capacity in any foreign ship except: (a) in a school-ship, or training-ship, in accordance with the prescribed conditions; or; (b) in a ship in which all persons employed are members of one family; or; (c) in a home-trade ship of a burden not exceeding 300 tons; or; (d) where such young person is to be employed on nominal wages and will be in the charge of his father or other adult near male relative. Section 37-C: Engagement of young persons as trimmers or stokers (1) Subject to the provisions of subsections (2) and (3), no young person shall be engaged or carried to sea to work as a trimmer or stoker in any ship registered in Pakistan, and no young lascar shall be engaged or carried to sea to work as a trimmer or a stoker in any foreign ship. (2) Subsection (1) shall not apply: (a) to any work or trimming or stoking done by a young person in a school-ship or training-ship in accordance with the prescribed conditions; or; (b) to any work of trimming or stoking done by a young person in a ship which is mainly propelled otherwise than by steam; or; (c) to the engagement or carrying to sea of a young person over 16 years of age to work as a trimmer or stoker on a coasting ship, provided he is employed in accordance with the prescribed conditions. (3) Where in any port a trimmer or stoker is required for any ship mentioned in subsection (1) other than a coasting-ship, and no person over 18 years of age is available, two young persons over 16 years of age may be engaged and carried to sea to do the work which would otherwise have been done by one person over 18 years of age.
The Employment of Children Rules, 1995[9]	Section 3: No child worker shall be allowed to work on the following operations of machines when in motion: (a) lathes, shaping, slatting and milling machines; (b) platen machine and gelating cutting machine; (c) every-wheel or tool grinding machine; (d) operation of hoist; (e) operation of band saw or circular saw; (f) in blow loom of textile mills; (g) near cotton openers, combined openers, sketchers, lapmachines, hard waste breakers, and carding machine; and (h) welding plant.
Selected International Agreements and Conventions ratified by the Government of Pakistan[10]	*United Nations Convention on the Rights of the Child (1989)* - ratified in 1990.[11] *ILO Convention No. 29* (forced labor, 1930) - ratified in 1957. *ILO Convention No. 59* (minimum age, revised, industry, 1937) - ratified in 1955. *ILO Convention No. 105* (abolition of forced labor, 1957) - ratified in 1960.

Sources:

[1] Anees Jillani, *Child Labor: The Legal Aspects*, vol. I (Islamabad: Society for the Protection of the Rights of the Child, 1997) 28 [hereinafter *Child Labor: The Legal Aspects, vol. I*].

[2] Anees Jillani, *Child Labor: The Legal Aspects*, vol. II (Islamabad: Society for the Protection of the Rights of the Child, 1997) 256.

[3] *Ibid.* at 183-196.

[4] A.R. Kemal, *Child Labour in Pakistan* (Islamabad: Pakistan Institute of Development Economics, 1994) 41 [hereinafter *Child Labour in Pakistan*].

[5] *Ibid.* at 103.

[6] *Child Labor: The Legal Aspects, vol. I* at 137.

[7] *Ibid.* at 15-17.

[8] *Ibid.* at 284-291.

[9] "Employment of Children Rules, 1995," *The Gazette of Pakistan* (Islamabad: Government of Pakistan, Part II, Section 3, May 17, 1995).

[10] ILO Conventions and ratification dates provided by the ILO's International Standards Department, ILO/Geneva, on September 22, 1998 [on file].

[11] *Consideration of Reports Submitted by States Parties under Article 44 of the Convention*, United Nations Committee on the Rights of the Child, CRC/C/3/Add.13 (January 25, 1993). *See also Child Labor in Pakistan* at 37.

Peru

Law/Regulation	*Relevant Child Labor Provisions*
Children and Adolescents Code, 1992, Decree Law No. 26102	Article I: Definition *"Children are human beings under 12 years old, and adolescents are those from 12 to 18 years of age. If there is any doubt about the age of a person, he/she will be considered a child or adolescent until the contrary is proven."* Article 22: Work *"The State recognizes the right of adolescents to work, with the restrictions imposed by this Code, as long as the work does not pose a risk or danger for their development, physical, mental and emotional health, and does not interfere with their regular school attendance."* Article 40: Working children and street children *"Both children who work out of economic or material necessity, and street children have the right to participate in programs for their education and their physical and mental development.* *The Governing Entity, in coordination with local governments, will be in charge of promoting and executing these programs."* Article 51: Scope of application *"This code protects adolescents who work both independently or for someone else, including work in homes. It likewise includes within its scope domestic work and nonremunerated family work.* *The work of institutionalized children and adolescents is regulated by the rules of the respective institutions.* *The work of apprentices and trainers, regulated by their own laws, is excluded."* Article 52: Institutions responsible for the protection of the adolescent *"The protection of the working adolescent is the responsibility of the Governing Entity, in coordination with the labor, health and education sectors and regional and municipal governments.* *The Governing Entity is in charge of developing policies for working adolescents."* Article 53: Minimum age for work *"Adolescents need authorization to work, except in the case of the domestic worker and nonremunerated family worker.* *Whoever hires a domestic worker (or the responsible member of the family, in the case of the nonremunerated family worker) will register the working adolescent at the relevant municipal registry.* *This registry will contain the information set out in Article 54."* Article 54: Ages at which adolescents may work in certain activities *"The minimum ages for various kinds of work are as follows: (a) 14 years for commercial agricultural work.; (b) 15 for industrial, commercial or mining work.; (c) 16 for industrial fishing work.* *For other kinds of work, the minimum age is 12 years.* *It is presumed that adolescents living with their parents or guardians have been authorized by them to work, unless there is an expressed manifestation to the contrary."*

	Article 55: Competence to authorize work for adolescents *"The competence to authorize work for adolescents at the ages specified in the previous articles, rest with the following: (a) Work sectors, in the case of those who work for others or who work in a dependent relationship; (b) District or Provincial municipalities, in the case of those who work in an independent manner and within the particular jurisdiction."* Article 56: Information that must be registered *"The institutions responsible for authorizing work of adolescents will keep a special registry with the following information: (a) Complete name of the adolescent; (b) Name of his/her parents, tutors or guardians; (c) Date of birth; (d) Address and place of residence; (e) Work to be undertaken; (f) Remuneration; (g) Work schedule; and (h) School attended and school schedule."* Article 59: Work Schedule *"Adolescents between 12 and 14 years old shall not work for more than four hours a day, or 24 hours a week. Adolescents between 15 and 17 years shall not work more than 6 hours a day or 36 hours a week."* Article 60: Night work *"Adolescents are prohibited from working at night between the hours of 7 p.m. and 7 a.m. Exceptions may be authorized by a Judge as long as the adolescent is between the ages of 15 and 17 and the work does not exceed 4 hours per day."* Article 61: Prohibited Work *"Adolescents are prohibited from working underground, where heavy weights are handled, and from working in activities where they are responsible for their own security or that of other persons.* *The Governing Entity through the work section, and in coordination and consultation with labor and employer groups, shall establish a listing of dangerous occupations and hazardous occupations (both morally and physically) in which adolescents may not work."* Article 63: Working Adolescent Workbook *"Working adolescents must have a workbook given by whomever granted the employment authorization, which indicates his/her first and last names, those of his/her parents, tutors, or guardians, birthdate, address, and place of residence, nature of work, school attended, and schedule of classes and work."* Article 67: Domestic work or non-remunerated family work *"Adolescents working in domestic service or that do non-remunerated family work have the right to 12 continual hours of rest a day. Employers, parents, or relatives are obliged to facilitate and guarantee their regular attendance in school.* *The specialized Judge is responsible for ensuring that the provisions on home work for adolescents are met."*
Selected International Agreements and Conventions ratified by the Government of Peru[2]	*United Nations Convention on the Rights of the Child (1989)* - ratified in 1990.[3] *ILO Convention No. 29* (forced labor, 1930) - ratified in 1960. *ILO Convention No. 59* (minimum age revised industry, 1937) - ratified in 1962. *ILO Convention No. 105* (abolition of forced labor, 1957) - ratified in 1960.

Notes: [1] Some provisions are unofficial translations.

Sources: [1] *Codigo de los Niños y Adolescentes* (Lima: Ministry of Justice, 1993) 22-37.
[2] ILO Conventions and ratification dates provided by the ILO's International Standards Department, ILO/Geneva, on September 22, 1998 [on file].
[3] *United Nations Convention on the Rights of the Child* (www.un.org/Depts/Treaty/final/ts2/newfiles/part_boo/iv_boo/iv_11.html).

Philippines

Law/Regulation	Relevant Child Labor Provisions
Constitution of the Philippines, 1987[1]	*"The State shall defend...the right of children to assistance including proper care and nutrition, and special protection from all forms of neglect, abuse, cruelty, exploitation and other conditions prejudicial to their development."*
Labor Code, 1993[2]	Article 139: (a) prohibits the employment of a child below 15 years except when he works under the sole responsibility of his parents or guardian, and his employment does not in any way interfere with his schooling; (b) Any person between 15 and 18 years of age may be employed for such number of hours and such periods of the day as determined by the Secretary of Labor in appropriate regulations; (c) The foregoing provisions shall in no case allow the employment of a person below 18 years of age in an undertaking which is hazardous or deleterious in nature as determined by the Secretary of Labor. Article 146: Opportunity for Education If a househelper is under the age of 18 years, the employer shall give him or her an opportunity for at least elementary education. The cost of such education shall be part of the house helper's compensation, unless there is a stipulation to the contrary.
Republic Act No. 7610, 1992[3]	This Act is known as the "Special Protection of Children Against Child Abuse, Exploitation and Discrimination-Act." Section 7: Child Trafficking *"Any person who shall engage in trading and dealing with children including, but not limited to, the act of buying and selling of a child for money, or for any other consideration, or barter, shall suffer the penalty of* reclusion temporal *to* reclusion perpetual. *The penalty shall be imposed in its maximum period when the victim is under twelve (12) years of age."*
Republic Act No. 7658, 1993[4]	This Act amends section 12, Article VII of R.A. No. 7610. Section 1: General Prohibition - *"Except as otherwise provided in this Rule, children below 15 years of age shall not be employed, permitted or suffered to work, in any public or private establishments in the Philippines."* Section 3: Exceptions and Conditions - *"The following shall be the only exceptions to the prohibition on the employment of children below 15 years of age and the conditions for availment of said exceptions.* *a. When the child works directly under the sole responsibility of his/her parents or legal guardian who employs members of his/her family only, under the following conditions: 1) the employment does not endanger the child's life, safety, health, and morals; 2) the employment does not impair the child's normal development; 3) The employer parent or legal guardian provides the child with the primary and/or secondary education prescribed by the Department of Education, Culture or Sports.* *b. Where the child's employment of participation in public entertainment or information through cinema, theater, radio or television is essential, provided that: 1) the employment does not involve advertisements or commercials promoting alcoholic beverages, intoxicating drinks, tobacco and its by-products, or exhibiting violence; 2) there is a written contract approved by the Department of Labor and Employment; and 3) the conditions prescribed in Section 3a above are met."*

	Section 7: Penalties - *"Any person who shall violate any provision of this Article 12 of R.A.* [No. 7610] *as amended by R.A. 7658 shall suffer the penalty of a fine of not less than 1,000 Pesos but not more than 10,000 Pesos* [US$ 25 to US$ 253] *or imprisonment of not less than three (3) months but not more than three (3) years, or both at the discretion of the court: Provided, that, in case of repeated violations of the provisions of this Article, the offender's license to operate shall be revoked."*
Presidential Decree 603 (the Child and Youth Welfare Code), 1974[5]	Article 3 (8): Every child has the right to protection against exploitation, improper influence, hazards, and other conditions or circumstances prejudicial to his physical, mental, emotional, and moral development.
Policy Directive No. 23, 1977[6]	Prohibits night work for young persons under the age of 16 years in the interval between 10:00 p.m. and 6:00 a.m. of the following day.
Selected International Agreements and Conventions ratified by the Government of the Philippines[7]	*United Nations Convention on the Rights of the Child (1989)* - ratified in 1990.[8] *ILO Convention No. 59* (minimum age, revised industry, 1937) - ratified in 1960. *ILO Convention No. 105* (abolition of forced labor, 1957) - ratified in 1960. *ILO Convention No. 138* (minimum age, 1937) - ratified in 1998.

Sources:

[1] *The 1997 Constitution of the Republic of the Philippines* (http://pdx.rpnet.com/consti/family.htm).

[2] *Opening Doors: A Presentation of Laws Protecting Filipino Child Workers, a Revised Edition* (Makati City: Ateneo Human Rights Center/ ILO, 1997) 47 and 90 [Hereinafter *Opening Doors*]. *See also Comprehensive Study on Child Labor in the Philippines* (Manila: Department of Labor and Employment, Institute for Labor Studies, Monograph Series No. 1, 1994) 6 [hereinafter *Comprehensive Study on Child Labor in the Philippines*].

[3] *Special Protection of Filipino Children* (Manila: Philippine Commission on Human Rights, Children Rights Center, 1994) 8 and 12.

[4] *Ibid.* at 42.

[5] *Comprehensive Study on Child Labor in the Philippines* at 61. *See also Opening Doors* at 25.

[6] *Comprehensive Study on Child Labor in the Philippines* at 66

[7] ILO Conventions and ratification dates provided by the ILO's International Standards Department, ILO/Geneva, on September 22, 1998 [on file].

[8] *United Nations Convention on the Rights of the Child* (www.un.org/Depts/Treaty/final/ts2/newfiles/part_boo/iv_boo/iv_11.html).

BEST COPY AVAILABLE

South Africa

Law/Regulation	Relevant Child Labor Provisions
Constitution of South Africa, 1996[1]	Section 28 (1) (e) and (f): Every child has the right: (e) to be protected from exploitative labour practices; (f) not to be required or permitted to perform work or provide services that: (i) are inappropriate for a person of that child's age; or (ii) place at risk the child's well-being, education, physical or mental health or spiritual, moral or social development.
The Child Care Act [as amended] (1960)[2]	Section 52A: Prohibition of employment of certain children (1) Subject to the provisions of this Act or any other law, no person may employ or provide work to any child under the age of 15 years. (2) The Minister may, on the conditions determined by him: (a) by notice in the Gazette exclude any employment or work from the provisions of subsection (1); and (b) grant any particular person, or persons generally, exemption from the provisions of subsection (1)."
The Basic Conditions of Employment Act (1997)[3]	Section 1: Definitions *"In this Act, unless the context indicates otherwise... child means a person who is under 18."* Section 43: Prohibition of employment of children "(1) *No person may employ a child -* *a) who is under 15 years of age; or* *b) who is under the minimum school-leaving age in terms of any law, if this is 15 or older.* (2) *No person may employ a child in employment -* *a) that is inappropriate for a person of that age;* *b) that places at risk the child's well-being, education, physical or mental health, or spiritual, moral or social development.* (3) *A person who employs a child in contravention of subsection (1) or (2) commits an offense."*

	Section 44: Employment of children of 15 years or older *"(1) Subject to section 43(2), the Minister may, on the advice of the Commission, make regulations to prohibit or place conditions on the employment of children who are at least 15 years of age and no longer subject to compulsory schooling in terms of any law.* *(2) A person who employs a child in contravention of subsection (1) commits and offense."* Section 46: Prohibitions *"It is an offense to -* *(a) assist an employer to employ a child in contravention of this Act; or* *(b) discriminate against a person who refuses to permit a child to be employed in contravention of this Act."* Section 48: Prohibition of forced labor *"(1) Subject to the Constitution, all forced labour is prohibited.* *(2) No person may for his or her own benefit or for the benefit of someone else, cause, demand or impose forced labour in contravention of subsection (1).* *(3) A person who contravenes subsection (1) or (2) commits an offense."*
Selected International Agreements and Conventions ratified by the Government of South Africa[4]	Section 93: Penalties *Any person found guilty of an offense of sections 43, 44, 46, and 48, may be fined or imprisoned for a period not longer than 3 years.* *United Nations Convention on the Rights of the Child (1989)* - ratified in 1995.[5] *ILO Convention No. 29* (forced labor, 1937) - ratified in 1997. *ILO Convention No. 105* (abolition of forced labor, 1957) - ratified in 1997.

Sources:

[1] Willem Schurink, Choaredo Molope, and Sam Tshabalala, *Exploring Some Dimensions of Child Labor in South Africa* (Pretoria: The Centre for Human Rights, University of Pretoria, 1997) 12.

[2] *Ibid.* at 12-13.

[3] Government Gazette, Volume 390, No. 18491 (Cape Town: Republic of South Africa, December 1997) 38 and 40.

[4] ILO Conventions and ratification dates provided by the ILO's International Standards Department, ILO/Geneva, on September 22, 1998 [on file].

[5] *United Nations Convention on the Rights of the Child* (www.un.org/Depts/Treaty/final/ts2/newfiles/part_boo/iv_boo/iv_11.html).

Tanzania

Law/Regulation	*Relevant Child Labor Provisions*
Employment Ordinance No. 47 of 1955, Cap. 366, Sec. 77 [as amended 1969]	No child under the "prescribed" age may be employed in any capacity whatsoever. "Prescribed" age means the "apparent" age of 12 years or such age as the Minister may from time to time declare to be the "prescribed" age. Any person who employs a child under the "prescribed" age shall be guilty of an offense. A "young person" is defined as one over the "apparent" age of 15 but under the "apparent" age of 18. The provisions distinguish between these two categories with respect to the degree of protection extended. The minimum age for entry into work of contractual nature in approved occupations is set at 15. Children between the ages of 12 and 15 can be employed on a daily wage and on a day-to-day basis and on condition that he/she returns each night to the place of residence of his/her parents or guardian. Moreover, a child thus employed has to have the consent of a parent or guardian. It is prohibited for a child or young person to be employed in any occupation which is injurious to health and which is dangerous or which is otherwise unsuitable. An employer is guilty of an offense under the law if such employment is continued after the employer has been officially warned. The employment of children in industrial undertakings is forbidden. The law exempts work done by children in technical schools or similar institutions where the work is licensed and approved by the Director of Education, and where particular occupations have been exempted from that category by the President under section 76 of the Ordinance. These include planting, weeding, running messages, the outdoor spreading and sorting of fibre, pest control not involving the use of chemicals, and grading of seasoned tobacco leaves not involving the use of machinery. Employers are required to maintain registers with details of age and terms of employment and they have to produce these upon demand by proper authority. Failure to do so is an offense. The employment of children in the vicinity of any machinery or in open-cast workings or in subsurface workings which are entered by means of a shaft is prohibited. Young persons may be employed in an industrial undertaking, but work is prohibited between the hours of 6:00 p.m. and 6:00 a.m. Exception is made for work or industrial undertakings which require work to be continuously carried out day and night, such as manufacturing of iron and steel, glassworks, manufacture of paper, manufacture of raw sugar, and in mining the reduction, extraction, or preparation work.

Employment Regulations (Restrictions of Employment of Children), GN.12 of 1957[2]	Regulation 2: Where children are permitted employment under the Ordinance, the conditions under which they may work are laid down as follows: a child may not carry more than 25 pounds, work more than three consecutive hours nor more than six hours in a 24-hour period, work between 6:00 p.m. and 6:00 a.m., enter a room or shed containing machinery, nor work during the hours in which he or she is supposed to be in school. Moreover, the Labor Commissioner or Officer is empowered to prohibit the employment of children where the conditions of employment are unsatisfactory.
Selected International Agreements and Conventions ratified by Government of Tanzania[3]	*United Nations Convention on the Rights of the Child (1989)* - ratified in 1991.[4] *ILO Convention No. 5* (minimum age, industry, 1919) - ratified in 1964. *ILO Convention No. 29* (forced labor, 1930) - ratified in 1962. *ILO Convention No. 59* (minimum age, revised, industry, 1937) - ratified in 1962. *ILO Convention No. 105* (abolition of forced labor, 1957) - ratified in 1962. *ILO Convention No. 138* (minimum age, 1973) -ratified in 1998[5]

Sources: [1] *Child Labour in Tanzania* (Geneva: ILO, 1992) 20-21.

[2] *Ibid.* at 21.

[3] ILO Conventions and ratification dates provided by the ILO's International Standards Department, ILO/Geneva, on September 22, 1998 [on file].

[4] *United Nations Convention on the Rights of the Child* (www.un.org/Depts/Treaty/final/ts2/newfiles/part_boo/iv_boo/iv_11.html).

[5] Tanzania ratified ILO Convention No. 138 in June 1998. However, the official instrument of ratification has not been registered with the ILO. Electronic Correspondence from Brenda Ingunza-Barinotto, International Standards Department, ILO/Geneva to U.S. Department of Labor Official (September 29, 1998) and Electronic Correspondence from William Mallya, National Programme Coordinator, ILO/IPEC Tanzania to U.S. Department of Labor Official (September 4, 1998).

Thailand

Law/Regulation	*Relevant Child Labor Provisions*
Constitution of Thailand, 1991, [amended in 1995][1]	Section 89: The State shall assist people of working age to obtain employment and shall ensure the fair protection of labour, especially children and women workers, and provide for the system of labour relations, including the settlement of fair wages.
The Labour Protection Act, August 19, 1998[2]	Chapter 4 - Underage Labor Section 16: *"No employer, supervisor, superintendent or inspector shall sexually harass a female employee or an underage employee."* Section 44: *"No employer shall hire a child under 15 years of age to work as an employee."* Section 46: *"An underage employee shall be given a break of not less than one consecutive hour after having worked consecutively for not more than four hours, but during the four hours, the underaged employee shall be given such break times as fixed by the employer."* Section 47: *"An employer shall not hire a child who is under eighteen years of age to work during 22:00 hrs - 06:00 hrs, unless approved in writing by the Director-General or the person entrusted by the Director-General."* Section 49: *"No employer shall require an employee under eighteen years of age to perform any of the following works:* *1) Smelting, blasting, casting or rolling of metals; 2) Metal casing in blocks; 3) Work related to heat, coolness, vibration, noise and light at excessive degrees which may be harmful, as prescribed by ministerial regulation; 4) Work in connection with such hazardous chemicals as prescribed by ministerial regulation; 5) Work with toxic microorganisms, which may be viruses, bacteria, fungus, or such other diseases as prescribed by ministerial regulation; 6) Work connected with toxic substances, explosives or highly inflammable materials, except for work at gas stations as fixed in the ministerial regulations; 7) Driving controlling a fork-lift truck or a crane; 8) Work for which an electric saw or a motor-driven saw must be used; 9) Work that must be performed underground, underwater, in a cave, in a tunnel or at a crater; 10) Work connected with radiation as prescribed in the ministerial regulations; 11) Cleaning of machines or engines while they are switched on; 12) Work on scaffolding above ten meters from the ground level; 13) Such other works as prescribed in ministerial regulations."* Section 50: *"No employer shall require an employee under eighteen years of age to work at the following places: 1) A slaughterhouse; 2) A place for gambling; 3) A place for dancing; 4) A place where food, liquor, tea or other beverages are sold and served by entertaining partners or where accommodation is provided to customers or massage-parlor; 5) Such other places as prescribed in ministerial regulations."* Section 147: *"Whoever violating the provisions of Section 16 shall be liable to pay a fine of not exceeding 20,000 baht* [US$ 550]."

	Provisional Clauses Section 160: *"The provisions of Section 44 shall not apply to employees over thirteen years of age, but under fifteen years of age who have been employed in accordance with the National Executive Council's Decree No. 103 dated March 19, 1972 prior to the effective date of this Act."*
Prostitution Prevention and Suppression Act, 1996[3]	Section 9: *"Whoever procures, seduces, or takes away another person to commit the act of prostitution, even with consent of such person, irrespective of whether the various acts which constitute the offence are committed inside or outside the Kingdom, shall be punished with imprisonment of one to ten years and a fine of 20,000 to 200,000 baht* [US$ 550 to US$ 5,500]. *If the offence* [described in the above] *paragraph is committed against a child not over fifteen years of age, the offender shall be punished with imprisonment of ten to twenty years and a fine of 200,000 to 400,000 baht* [US$ 5,500 to US$ 11,000]." Section 12: *"Whoever detains or confines another person, commits any other act that deprives the liberty of another person, assaults another person, or threatens with any other means to commit a violent act against a person, in order to force such person to prostitution activity, shall be punished with imprisonment of ten to twenty years, and a fine of 200,000 to 400,000 baht* [US$ 5,500 to US$ 11,000]. *If the perpetrator or abettor in the commission of the offence* [described in the above] *paragraph is an administrative or police official, official or worker in the primary shelter or in the protection and vocational development place under this act, such perpetrator or abettor shall be punished with imprisonment of fifteen to twenty years and a fine of 300,000 to 400,000 baht* [US$ 8,000 to US$ 11,000]."
Measure in Prevention and Suppression of Trafficking in Women and Children Act, 1997[4]	Section 4: *"child means a person whose age is not over eighteen years."* Section 5: *"In committing an offence concerning the trafficking in women and children, buying, selling, vending, bringing from or sending to, receiving, detaining or confining any woman or child, or arranging for any women or child to act or receive any act, for sexual gratification of another person for an indecent sexual purpose, or for gaining any illegal benefit for his/herself or another person, with or without the consent of the woman or child, which is an offence under the Penal Code, the law on prostitution prevention and suppression, the law on safety and welfare of children and youths, or this Act, the official is authorized to enforce power under this Act."* Section 11: *"The official shall use his/her judgement in giving appropriate assistance to the woman and child, who is the victim of the offence as specified in Section 5, in providing food, shelter and repatriation to her/his original country or residence."*
Selected International Agreements and Conventions ratified by the Government of Thailand[5]	*United Nations Convention on the Rights of the Child (1989)* - ratified in 1992.[6] *ILO Convention No. 29* (forced labour, 1930) - ratified in 1969. *ILO Convention No. 105* (abolition of forced labour, 1957) - ratified in 1969. *ILO Convention No. 123* (minimum age, underground work, 1965) - ratified in 1968.

Sources:
[1] *Policies and Selected Programmes on Child Labour* (Bangkok: The Ministry of Labour and Social Welfare, 1997) 1-2.
[2] *Labour Protection Act B.E. 2541 (1998).*
[3] *Prostitution Prevention and Suppression Act B.E. 2539 (1996).*
[4] *Measure in Prevention and Suppression of Trafficking in Women and Children Act B.E. 2540 (1997).*
[5] ILO Conventions and ratification dates provided by the ILO's International Standards Department, ILO/Geneva, on September 22, 1998 [on file].
[6] *United Nations Convention on the Rights of the Child* (www.un.org/Depts/Treaty/final/ts2/newfiles/part_boo/iv_boo/iv_11.html).

Turkey

Law/Regulation	Relevant Child Labor Provisions
Constitution of Turkey, 1982[1]	Article 50: This article states that no one shall be required to perform work unsuited to his age... and that minors...shall enjoy special protection with regard to working conditions.
Labour Act No. 1475, 1971[2]	Article 67: This Act clarifies the employment age and the prohibition of work for children as follows: It shall be prohibited to employ children under the age of 15. It shall be permissible to employ children who have completed 13 years of age in such light work as not to endanger their health and development or interfere with their education or hamper their opportunities of following vocational guidance and training programmes. The hours of work of children who are going to school shall be so arranged that they do not interfere with school attendance, and the hours spent in school shall be reckoned as part of the seven-and-a half-hour working day." Article 68, 69, and 78: Impose prohibition to employ children under the age of 18 years for underground or underwater work, night work, and arduous and dangerous work." Article 80: Before being admitted to any employment whatsoever, children aged between 13-18 years (including those in their 18th year) shall be examined by the practitioner attached to the undertaking or by the workers' health service, in the absence of either, by the medical services of the nearest social security institution, health center or state municipal or government institutions, in order that he/she shall be certified physically fit for the job to be performed, taking into consideration the nature and conditions of the work. Until they have reached the age of 18 years, such workers shall be the subject to medical examination at least every six months in the same manner, to determine whether or not there is any danger in their continuing their employment. All such medical certificates shall be filed and produced by the employer on request by any competent official.
Apprenticeship and Vocational Training Act No. 3308 (1986)[3]	Paragraph a of Article 10: "*In order to be an apprentice, it is necessary* a) *to have completed 13 years of age and not to be older than 18 years of age;* b) *to be at least a primary school graduate;* c) *to have a physical condition and to be in a state of health enabling the performance of work required by the given occupation."*
General Health Care Act No. 1593 (1930)[4]	Article 173: Children lower than 12 years of age cannot be employed as workers and apprentices at industrial sites, mining works, factories and manufacturing shops.

	Children aged between 12 and 16 years cannot be kept at work for more than eight hours per day. Article 174: Children aged between 12 and 16 years cannot be kept at work after 8:00 p.m. Article 176: Employment of children below 18 years of age at sites such as bars, coffee houses, dancing halls, cabarets, casinos and public baths is prohibited by local authorities. Article 179: It shall be made specific in the Labor Act which works are detrimental to health and dangerous for women and for children aged between12 and 16 years.
Selected International Agreement and Conventions ratified by the Government of Turkey[5]	*United Nations Convention on the Rights of the Child (1989)* - ratified in 1995.[6] *ILO Convention No. 29.* (forced labor, 1930) - ratified in 1998. *ILO Convention No. 59* (minimum age, revised, industry, 1937)- ratified in 1993. *ILO Convention No. 105* (abolition of forced labor, 1957) - ratified in 1997. *ILO Convention No. 123* (minimum age, underground work, 1965) - ratified in 1992. *ILO Convention No. 138* (minimum age, 1973) - ratified in 1998.

Sources:

[1] *Child Labour in Turkey* (Ankara: Turkish Confederation of Employer Associations/ILO, 1997) 28 [hereinafter *Child Labour in Turkey*].

[2] *Ibid.* at 28-29.

[3] *Apprenticeship and Vocational Training Act* (Ankara: Ministry of National Education Youth and Sports, 1986) 10.

[4] *Child Labour in Turkey* at 31.

[5] ILO Conventions and ratification dates provided by the ILO's International Standards Department, ILO/Geneva, on September 22, 1998 [on file]. The Turkish Parliament recently published the ratification of Convention No. 29 and No. 138 in the Official Gazette. However, the official instruments of ratification have not been registered with the ILO. Electronic Correspondence from Brenda Ingunza-Barinotto, ILO to U.S. Department of Labor Official (September 29, 1998) [on file]. *See also* U.S. Embassy-Ankara, unclassified telegram no. 001329, February 10, 1998.

[6] *Child Labour in Turkey* at 35.

Appendix E: ILO Convention 138

International Labour Organization
C138 Minimum Age Convention, 1973

PREAMBLE

The General Conference of the International Labour Organisation,

Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its Fifty-eighth Session on 6 June 1973, and

Having decided upon the adoption of certain proposals with regard to minimum age for admission to employment, which is the fourth item on the agenda of the session, and

Noting the terms of the Minimum Age (Industry) Convention, 1919, the Minimum Age (Sea) Convention, 1920, the Minimum Age (Agriculture) Convention, 1921, the Minimum Age (Trimmers and Stokers) Convention, 1921, the Minimum Age (Non-Industrial Employment) Convention, 1932 the Minimum Age (Sea) Convention (Revised), 1936, the Minimum Age (Industry) Convention (Revised), 1937, the Minimum Age (Non-Industrial Employment) Convention (Revised), 1937, the Minimum Age (Fishermen) Convention, 1959, and the Minimum Age (Underground Work) Convention, 1965, and

Considering that the time has come to establish a general instrument on the subject, which would gradually replace the existing ones applicable to limited economic sectors, with a view to achieving the total abolition of child labour, and

Having determined that these proposals shall take the form of an international Convention,

adopts the twenty-sixth day of June of the year one thousand nine hundred and seventy-three, the following convention, which may be cited as the Minimum Age Convention, 1973:

Article 1

Each Member for which this Convention is in force undertakes to pursue a national policy designed to ensure the effective abolition of child labour and to raise progressively the minimum age for admission to employment or work to a level consistent with the fullest physical and mental development of young persons.

Article 2

1. Each Member which ratifies this Convention shall specify, in a declaration appended to its ratification, a minimum age for admission to employment or work within its territory and on means of transport registered in its territory; subject to Articles 4 to 8 of this Convention, no one under that age shall be admitted to employment or work in any occupation.

246

2. Each Member which has ratified this Convention may subsequently notify the Director- General of the International Labour office, by further declarations, that it specifies a minimum age higher than that previously specified.

3. The minimum age specified in pursuance of paragraph 1 of this Article shall not be less than the age of completion of compulsory schooling and, in any case, shall not be less than 15 years.

4. Notwithstanding the provisions of paragraph 3 of this Article, a Member whose economy and educational facilities are insufficiently developed may, after consultation with the organisations of employers and workers concerned, where such exist, initially specify a minimum age of 14 years.

5. Each Member which has specified a minimum age of 14 years in pursuance of the provisions of the preceding paragraph shall include in its reports on the application of this Convention submitted under article 22 of the constitution of the International Labour Organisation a statement—

(a) that its reason for doing so subsists; or
(b) that it renounces its right to avail itself of the provisions in question as from a stated date.

Article 3

1. The minimum age for admission to any type of employment or work which by its nature or the circumstances in which it is carried out, is likely to jeopardise the health, safety or morals of young persons shall not be less than 18 years.

2. The types of employment or work to which paragraph 1 of this Article applies shall be determined by national laws or regulations or by the competent authority, after consultation with the organisations of employers and workers concerned, where such exist.

3. Notwithstanding the provisions of paragraph 1 of this Article national laws or regulations or the competent authority may, after consultation with the organisations of employers and workers concerned, where such exist, authorise employment or work as from the age of 16 years on condition that the health, safety and morals of the young persons concerned are fully protected and that the young persons have received adequate specific instruction or vocational training in the relevant branch of activity.

Article 4

1. In so far as necessary, the competent authority, after consultation with the organisations of employers and workers concerned, where such exist, may exclude from the application of this Convention limited categories of employment or work in respect of which special and substantial problems of application arise.

2. Each Member which ratifies this Convention shall list in its first report on the application of the Convention submitted under article 22 of the Constitution of the International Labour Organisation any categories which may have been excluded in pursuance of paragraph 1 of this Article, giving the reasons for such exclusion, and

shall state in subsequent reports the position of its law and practice in respect of the categories excluded and the extent to which effect has been given or is proposed to be given to the Convention in respect of such categories.

3. Employment or work covered by Article 3 of this Convention shall not be excluded from the application of the Convention in pursuance of this Article.

Article 5

1. A Member whose economy and administrative facilities are insufficiently developed may, after consultation with the organisations of employers and workers concerned, where such exist initially limit the scope of application of this Convention.

2. Each Member which avails itself of the provisions of paragraph 1 of this Article shall specify, in a declaration appended to its ratification, the branches of economic activity or types of undertakings to which it will apply the provisions of the Convention.

3. The provisions of the Convention shall be applicable as a minimum to the following: mining and quarrying; manufacturing; construction; electricity, gas and water; sanitary services; transport, storage and communication; and plantations and other agricultural undertakings mainly producing for commercial purposes, but excluding family and small-scale holdings producing for local consumption and not regularly employing hired workers.

4. Any Member which has limited the scope of application of this Convention in pursuance of this Article—

(a) shall indicate in its reports under article 22 of the Constitution of the International Labour Organisation the general position as regards the employment or work of young persons and children in the branches of activity which are excluded from the scope of application of this Convention and any progress which may have been made towards wider application of the provisions of the Convention;

(b) may at any time formally extend the scope of application by a declaration addressed to the Director-General of the International Labour Office.

Article 6

This Convention does not apply to work done by children and young persons in schools for general, vocational or technical education or in other training institutions, or to work done by persons at least 14 years of age in undertakings, where such work is carried out in accordance with conditions prescribed by the competent authority after consultation with the organisations of employers and workers concerned, where such exist, and is an integral part of-(a) a course of education or training for which a school or training institution is primarily responsible; (b) a programme of training mainly or entirely in an undertaking which programme has been approved by the competent authority; or (c) a programme of guidance or orientation designed to facilitate the choice of an occupation or of a line of training.

Article 7

1. National laws or regulations may permit the employment or work of persons 13 to 15 years of age on light work which is—

(a) not likely to be harmful to their health or development; and

(b) not such as to prejudice their attendance at school, their participation in vocational orientation or training programmes approved by the competent authority or their capacity to benefit from the instruction received.

2. National laws or regulations may also permit the employment or work of persons who are at least 15 years of age but have not yet completed their compulsory schooling on work which meets the requirements set forth in sub-paragraphs (a) and (b) of paragraph 1 of this Article.

3. The competent authority shall determine the activities in which employment or work may be permitted under paragraphs 1 and 2 of this Article and shall prescribe the number of hours during which and the conditions in which such employment or work may be undertaken.

4. Notwithstanding the provisions of paragraphs 1 and 2 of this Article, a Member which has availed itself of the provisions of paragraph 4 of Article 2 may, for as long as it continues to do so substitute the ages 12 and 14 for the ages 13 and 15 in paragraph 1 and the age 14 for the age 15 in paragraph 2 of this Article.

Article 8

1. After consultation with the organisations of employers and workers concerned, where such exist, the competent authority may, by permits granted in individual cases, allow exceptions to the prohibition of employment or work provided for in Article 2 of this Convention, for such purposes as participation in artistic performances.

2. Permits so granted shall limit the number of hours during which and prescribe the conditions in which employment or work is allowed.

Article 9

1. All necessary measures, including the provision of appropriate penalties, shall be taken by the competent authority to ensure the effective enforcement of the provisions of this Convention.

2. National laws or regulations or the competent authority shall define the persons responsible for compliance with the provisions giving effect to the Convention.

3. National laws or regulations or the competent authority shall prescribe the registers or other documents which shall be kept and made available by the employer; such registers or documents shall contain the names and ages or dates of birth, duly certified wherever possible, of persons whom he employs or who work for him and who are less than 18 years of age.

Article 10

1. This Convention revises, on the terms set forth in this Article the Minimum Age (Industry) Convention, 1919, the Minimum Age (Sea) Convention, 1920, the Minimum Age (Agriculture) Convention, 1921 the Minimum Age (Trimmers and Stokers) Convention, 1921, the Minimum Age (Non-Industrial Employment) Convention, 1932, the Minimum Age (Sea) Convention (Revised), 1936, the Minimum Age (Industry) Convention (Revised), 1937, the Minimum Age (Non-Industrial Employment) Convention (Revised), 1937, the Minimum Age (Fishermen) Convention, 1959, and the Minimum Age (Underground Work) Convention, 1965. The coming into force of this Convention shall not close the Minimum Age (Sea) Convention (Revised), 1936, the Minimum Age (Industry) Convention (Revised), 1937, the Minimum Age (Non-Industrial Employment) Convention (Revised), 1937, the Minimum Age (Fishermen) Convention, 1959, or the Minimum Age (Underground Work) Convention, 1965, to further ratification.

3. The Minimum Age (Industry) Convention, 1919, the Minimum Age (Sea) Convention, 1920, the Minimum Age (Agriculture) Convention 1921, and the Minimum Age (Trimmers and Stokers) Convention, 1921 shall be closed to further ratification when all the parties thereto have consented to such closing by ratification of this Convention or by a declaration communicated to the Director-General of the International Labour Office.

4. When the obligations of this Convention are accepted—

(a) by a Member which is a party to the Minimum Age (Industry) Convention (Revised), 1937, and a minimum age of not less than 15 years is specified in pursuance of Article 2 of this Convention this shall ipso jure involve the immediate denunciation of that convention,

(b) in respect of non-industrial employment as defined in the Minimum Age (Non- Industrial Employment) Convention, 1932, by a Member which is a party to that Convention, this shall ipso jure involve the immediate denunciation of that Convention,

(c) in respect of non-industrial employment as defined in the Minimum Age (Non- Industrial Employment) Convention (Revised), 1937 by a Member which is a party to that Convention, and a minimum age of not less than 15 years is specified in pursuance of Article 2 of this Convention, this shall ipso jure involve the immediate denunciation of that Convention,

(d) in respect of maritime employment, by a Member which is a party to the Minimum Age (Sea) Convention (Revised), 1936, and a minimum age of not less than 15 years is specified in pursuance of Article 2 of this Convention or the Member specifies that Article 3 of this convention applies to maritime employment, this shall ipso jure involve the immediate denunciation of that Convention,

(e) in respect of employment in maritime fishing, by a Member which is a party to the Minimum Age (Fishermen) Convention, 1959, and a minimum age of not less than 15 years is specified in pursuance of Article 2 of this Convention or the Member specifies that Article 3 of this Convention applies to employment in maritime fishing, this shall ipso jure involve the immediate denunciation of that convention,

(f) by a Member which is a party to the Minimum Age (underground Work) Convention, 1965, and a minimum age of not less than the age specified in pursuance of that Convention is specified in pursuance of Article 2 of this

Convention or the Member specifies that such an age applies to employment underground in mines in virtue of Article 3 of this Convention, this shall ipso jure involve the immediate denunciation of that Convention, if and when this Convention shall have come into force.

5. Acceptance of the obligations of this Convention—

(a) shall involve the denunciation of the Minimum Age (Industry) Convention, 1919, in accordance with Article 12 thereof,
(b) in respect of agriculture shall involve the denunciation of the Minimum Age (Agriculture) Convention, 1921, in accordance with Article 9 thereof,
(c) in respect of maritime employment shall involve the denunciation of the Minimum Age (Sea) Convention, 1920, in accordance with Article 10 thereof, and of the Minimum Age (Trimmers and Stokers) Convention, 1921, in accordance with Article 12 thereof, if and when this Convention shall have come into force.

FINAL PROVISIONS

Article 11

The formal ratifications of this Convention shall be communicated to the Director-General of the International Labour office for registration.

Article 12

1. This Convention shall be binding only upon those Members of the International Labour Organisation whose ratifications have been registered with the Director-General.

2. It shall come into force twelve months after the date on which the ratifications of two Members have been registered with the Director-General.

3. Thereafter, this Convention shall come into force for any Member twelve months after the date on which its ratifications has been registered.

Article 13

1. A Member which has ratified this Convention may denounce it after the expiration of ten years from the date on which the Convention first comes into force, by an Act communicated to the Director-General of the International Labour Office for registration. Such denunciation should not take effect until one year after the date on which it is registered.

2. Each Member which has ratified this Convention and which does not, within the year following the expiration of the period of ten years mentioned in the preceding paragraph, exercise the right of denunciation provided for in this Article, will be bound for another period of ten years and, thereafter, may denounce this Convention at the expiration of each period of ten years under the terms provided for in this Article.

Article 14

1. The Director-General of the International Labour office shall notify all Members of the International Labour Organisation of the registration of all ratifications and denunciations communicated to him by the Members of the Organisation.

2. When notifying the Members of the Organisation of the registration of the second ratification communicated to him, the Director-General shall draw the attention of the Members of the Organisation to the date upon which the Convention will come into force.

Article 15

The Director-General of the International Labour Office shall communicate to the Secretary-General of the United Nations for registration in accordance with Article 102 of the Charter of the United Nations full particulars of all ratifications and acts of denunciation registered by him in accordance with the provisions of the preceding Articles.

Article 16

At such times as may consider necessary the Governing Body of the International Labour office shall present to the General Conference a report on the working of this Convention and shall examine the desirability of placing on the agenda of the Conference the question of its revision in whole or in part.

Article 17

1. Should the Conference adopt a new Convention revising this Convention in whole or in part, then, unless the new Convention otherwise provides:

a) the ratification by a Member of the new revising convention shall ipso jure involve the immediate denunciation of this Convention notwithstanding the provisions of Article 13 above, if and when the new revising Convention shall have come into force;

b) as from the date when the new revising Convention comes into force this Convention shall cease to be open to ratification by the Members.

2. This Convention shall in any case remain in force in its actual form and content for those Members which have ratified it but have not ratified the revising Convention.

Article 18

The English and French versions of the text of this Convention are equally authoritative.

Appendix F

Convention on the Rights of the Child, G.A. res. 44/25, annex, 44 U.N. GAOR Supp. (No. 49) at 167, U.N. Doc. A/44/49 (1989).

PREAMBLE

The States Parties to the present Convention,

Considering that, in accordance with the principles proclaimed in the Charter of the United Nations, recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,

Bearing in mind that the peoples of the United Nations have, in the Charter, reaffirmed their faith in fundamental human rights and in the dignity and worth of the human person, and have determined to promote social progress and better standards of life in larger freedom,

Recognizing that the United Nations has, in the Universal Declaration of Human Rights and in the International Covenants on Human Rights, proclaimed and agreed that everyone is entitled to all the rights and freedoms set forth therein, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,

Recalling that, in the Universal Declaration of Human Rights, the United Nations has proclaimed that childhood is entitled to special care and assistance,

Convinced that the family, as the fundamental group of society and the natural environment for the growth and well-being of all its members and particularly children, should be afforded the necessary protection and assistance so that it can fully assume its responsibilities within the community,

Recognizing that the child, for the full and harmonious development of his or her personality, should grow up in a family environment, in an atmosphere of happiness, love and understanding,

Considering that the child should be fully prepared to live an individual life in society, and brought up in the spirit of the ideals proclaimed in the Charter of the United Nations, and in particular in the spirit of peace, dignity, tolerance, freedom, equality and solidarity,

Bearing in mind that the need to extend particular care to the child has been stated in the Geneva Declaration of the Rights of the Child of 1924 and in the Declaration of the Rights of the Child adopted by the General Assembly on 20 November 1959 and recognized in the Universal Declaration of Human Rights, in the International Covenant on Civil and Political Rights (in particular in articles 23 and 24), in the International Covenant on Economic, Social and Cultural Rights (in particular in article 10) and in the statutes and relevant instruments of specialized agencies and international organizations concerned with the welfare of children,

Bearing in mind that, as indicated in the Declaration of the Rights of the Child, "the child, by reason of his physical and mental immaturity, needs special safeguards and care, including appropriate legal protection, before `as well as after birth",

Recalling the provisions of the Declaration on Social and Legal Principles relating to the Protection and Welfare of Children, with Special Reference to Foster Placement and Adoption Nationally and Internationally; the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules); and the Declaration on the Protection of Women and Children in Emergency and Armed Conflict,

Recognizing that, in all countries in the world, there are children living in exceptionally difficult conditions, and that such children need special consideration,

Taking due account of the importance of the traditions and cultural values of each people for the protection and harmonious development of the child,

Recognizing the importance of international co-operation for improving the living conditions of children in every country, in particular in the developing countries,

Have agreed as follows:

PART I

Article 1

For the purposes of the present Convention, a child means every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier.

Article 2

1. States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.

2. States Parties shall take all appropriate measures to ensure that the child is protected against all forms of discrimination or punishment on the basis of the status, activities, expressed opinions, or beliefs of the child's parents, legal guardians, or family members.

Article 3

1. In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration.

2. States Parties undertake to ensure the child such protection and care as is necessary for his or her well-being, taking into account the rights and duties of his or her parents, legal guardians, or other individuals legally responsible for him or her, and, to this end, shall take all appropriate legislative and administrative measures.

3. States Parties shall ensure that the institutions, services and facilities responsible for the care or protection of children shall conform with the standards established by competent authorities, particularly in the areas of safety, health, in the number and suitability of their staff, as well as competent supervision.

Article 4

States Parties shall undertake all appropriate legislative, administrative, and other measures for the implementation of the rights recognized in the present Convention. With regard to economic, social and cultural rights, States Parties shall undertake such measures to the maximum extent of their available resources and, where needed, within the framework of international co-operation.

Article 5

States Parties shall respect the responsibilities, rights and duties of parents or, where applicable, the members of the extended family or community as provided for by local custom, legal guardians or other persons legally responsible for the child, to provide, in a manner consistent with the evolving capacities of the child, appropriate direction and guidance in the exercise by the child of the rights recognized in the present Convention.

Article 6

1. States Parties recognize that every child has the inherent right to life.

2. States Parties shall ensure to the maximum extent possible the survival and development of the child.

Article 7

1. The child shall be registered immediately after birth and shall have the right from birth to a name, the right to acquire a nationality and. as far as possible, the right to know and be cared for by his or her parents.

2. States Parties shall ensure the implementation of these rights in accordance with their national law and their obligations under the relevant international instruments in this field, in particular where the child would otherwise be stateless.

Article 8

1. States Parties undertake to respect the right of the child to preserve his or her identity, including nationality, name and family relations as recognized by law without unlawful interference.

2. Where a child is illegally deprived of some or all of the elements of his or her identity, States Parties shall provide appropriate assistance and protection, with a view to re-establishing speedily his or her identity.

Article 9

1. States Parties shall ensure that a child shall not be separated from his or her parents against their will, except when competent authorities subject to judicial review determine, in accordance with applicable law and procedures, that such separation is necessary for the best interests of the child. Such determination may be necessary in a particular case such as one involving abuse or neglect of the child by the parents, or one where the parents are living separately and a decision must be made as to the child's place of residence.

2. In any proceedings pursuant to paragraph 1 of the present article, all interested parties shall be given an opportunity to participate in the proceedings and make their views known.

3. States Parties shall respect the right of the child who is separated from one or both parents to maintain personal relations and direct contact with both parents on a regular basis, except if it is contrary to the child's best interests.

4. Where such separation results from any action initiated by a State Party, such as the detention, imprisonment, exile, deportation or death (including death arising from any cause while the person is in the custody of the State) of one or both parents or of the child, that State Party shall, upon request, provide the parents, the child or, if appropriate, another member of the family with the essential information concerning the whereabouts of the absent member(s) of the family unless the provision of the information would be detrimental to the well-being of the child. States Parties shall further ensure that the submission of such a request shall of itself entail no adverse consequences for the person(s) concerned.

Article 10

1. In accordance with the obligation of States Parties under article 9, paragraph 1, applications by a child or his or her parents to enter or leave a State Party for the purpose of family reunification shall be dealt with by States Parties in a positive, humane and expeditious manner. States Parties shall further ensure that the submission of such a request shall entail no adverse consequences for the applicants and for the members of their family.

2. A child whose parents reside in different States shall have the right to maintain on a regular basis, save in exceptional circumstances personal relations and direct contacts with both parents. Towards that end and in accordance with the obligation of States Parties under article 9, paragraph 1, States Parties shall respect the right of the child and his or her parents to leave any country, including their own, and to enter their own country. The right to leave any country shall be subject only to such restrictions as are prescribed by law and which are necessary to protect the national security, public order (ordre public), public health or morals or the rights and freedoms of others and are consistent with the other rights recognized in the present Convention.

Article 11

1. States Parties shall take measures to combat the illicit transfer and non-return of children abroad.

2. To this end, States Parties shall promote the conclusion of bilateral or multilateral agreements or accession to existing agreements.

Article 12

1. States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.

2. For this purpose, the child shall in particular be provided the opportunity to be heard in any judicial and administrative proceedings affecting the child, either directly, or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law.

Article 13

1. The child shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of the child's choice.

2. The exercise of this right may be subject to certain restrictions, but these shall only be such as are provided by law and are necessary:

(a) For respect of the rights or reputations of others; or

(b) For the protection of national security or of public order (ordre public), or of public health or morals.

Article 14

1. States Parties shall respect the right of the child to freedom of thought, conscience and religion.

2. States Parties shall respect the rights and duties of the parents and, when applicable, legal guardians, to provide direction to the child in the exercise of his or her right in a manner consistent with the evolving capacities of the child.

3. Freedom to manifest one's religion or beliefs may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health or morals, or the fundamental rights and freedoms of others.

Article 15

1. States Parties recognize the rights of the child to freedom of association and to freedom of peaceful assembly.

2. No restrictions may be placed on the exercise of these rights other than those imposed in conformity with the law and which are necessary in a democratic society in the interests of national security or public safety, public order (ordre public), the protection of public health or morals or the protection of the rights and freedoms of others.

Article 16

1. No child shall be subjected to arbitrary or unlawful interference with his or her privacy, family, home or correspondence, nor to unlawful attacks on his or her honour and reputation.
2. The child has the right to the protection of the law against such interference or attacks.

Article 17

States Parties recognize the important function performed by the mass media and shall ensure that the child has access to information and material from a diversity of national and international sources, especially those aimed at the promotion of his or her social, spiritual and moral well-being and physical and mental health. To this end, States Parties shall:

(a) Encourage the mass media to disseminate information and material of social and cultural benefit to the child and in accordance with the spirit of article 29;

(b) Encourage international co-operation in the production, exchange and dissemination of such information and material from a diversity of cultural, national and international sources;

(c) Encourage the production and dissemination of children's books;

(d) Encourage the mass media to have particular regard to the linguistic needs of the child who belongs to a minority group or who is indigenous;

(e) Encourage the development of appropriate guidelines for the protection of the child from information and material injurious to his or her well-being, bearing in mind the provisions of articles 13 and 18.

Article 18

1. States Parties shall use their best efforts to ensure recognition of the principle that both parents have common responsibilities for the upbringing and develop-

ment of the child. Parents or, as the case may be, legal guardians, have the primary responsibility for the upbringing and development of the child. The best interests of the child will be their basic concern.

2. For the purpose of guaranteeing and promoting the rights set forth in the present Convention, States Parties shall render appropriate assistance to parents and legal guardians in the performance of their child-rearing responsibilities and shall ensure the development of institutions, facilities and services for the care of children.

3. States Parties shall take all appropriate measures to ensure that children of working parents have the right to benefit from child-care services and facilities for which they are eligible.

Article 19

1. States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.

2. Such protective measures should, as appropriate, include effective procedures for the establishment of social programmes to provide necessary support for the child and for those who have the care of the child, as well as for other forms of prevention and for identification, reporting, referral, investigation, treatment and follow-up of instances of child maltreatment described heretofore, and, as appropriate, for judicial involvement.

Article 20

1. A child temporarily or permanently deprived of his or her family environment, or in whose own best interests cannot be allowed to remain in that environment, shall be entitled to special protection and assistance provided by the State.

2. States Parties shall in accordance with their national laws ensure alternative care for such a child.

3. Such care could include, inter alia, foster placement, kafalah of Islamic law, adoption or if necessary placement in suitable institutions for the care of children. When considering solutions, due regard shall be paid to the desirability of continuity in a child's upbringing and to the child's ethnic, religious, cultural and linguistic background.

Article 21

States Parties that recognize and/or permit the system of adoption shall ensure that the best interests of the child shall be the paramount consideration and they shall:

(a) Ensure that the adoption of a child is authorized only by competent authorities who determine, in accordance with applicable law and procedures and on the basis of all pertinent and reliable information, that the adoption is permissible in view of the child's status concerning parents, relatives and legal guardians and that, if required, the persons concerned have given their informed consent to the adoption on the basis of such counselling as may be necessary;

(b) Recognize that inter-country adoption may be considered as an alternative means of child's care, if the child cannot be placed in a foster or an adoptive family or cannot in any suitable manner be cared for in the child's country of origin;

(c) Ensure that the child concerned by inter-country adoption enjoys safeguards and standards equivalent to those existing in the case of national adoption;

(d) Take all appropriate measures to ensure that, in inter-country adoption, the placement does not result in improper financial gain for those involved in it;

(e) Promote, where appropriate, the objectives of the present article by concluding bilateral or multilateral arrangements or agreements, and endeavour, within this framework, to ensure that the placement of the child in another country is carried out by competent authorities or organs.

Article 22

1. States Parties shall take appropriate measures to ensure that a child who is seeking refugee status or who is considered a refugee in accordance with applicable international or domestic law and procedures shall, whether unaccompanied or accompanied by his or her parents or by any other person, receive appropriate protection and humanitarian assistance in the enjoyment of applicable rights set forth in the present Convention and in other international human rights or humanitarian instruments to which the said States are Parties.

2. For this purpose, States Parties shall provide, as they consider appropriate, co-operation in any efforts by the United Nations and other competent intergovernmental organizations or non-governmental organizations co-operating with the United Nations to protect and assist such a child and to trace the parents or other members of the family of any refugee child in order to obtain information necessary for reunification with his or her family. In cases where no parents or other members of the family can be found, the child shall be accorded the same protection as any other child permanently or temporarily deprived of his or her family environment for any reason, as set forth in the present Convention.

Article 23

1. States Parties recognize that a mentally or physically disabled child should enjoy a full and decent life, in conditions which ensure dignity, promote self-reliance and facilitate the child's active participation in the community.

2. States Parties recognize the right of the disabled child to special care and shall encourage and ensure the extension, subject to available resources, to the eligible child and those responsible for his or her care, of assistance for which application is made and which is appropriate to the child's condition and to the circumstances of the parents or others caring for the child.

3. Recognizing the special needs of a disabled child, assistance extended in accordance with paragraph 2 of the present article shall be provided free of charge, whenever possible, taking into account the financial resources of the parents or others caring for the child, and shall be designed to ensure that the disabled child has effective access to and receives education, training, health care services, rehabilitation services, preparation for employment and recreation opportunities in a manner conducive to the child's achieving the fullest possible social integration and individual development, including his or her cultural and spiritual development

4. States Parties shall promote, in the spirit of international cooperation, the exchange of appropriate information in the field of preventive health care and of medical, psychological and functional treatment of disabled children, including dissemination of and access to information concerning methods of rehabilitation, education and vocational services, with the aim of enabling States Parties to improve their capabilities and skills and to widen their experience in these areas. In this regard, particular account shall be taken of the needs of developing countries.

Article 24

1. States Parties recognize the right of the child to the enjoyment of the highest attainable standard of health and to facilities for the treatment of illness and rehabilitation of health. States Parties shall strive to ensure that no child is deprived of his or her right of access to such health care services.

2. States Parties shall pursue full implementation of this right and, in particular, shall take appropriate measures:

(a) To diminish infant and child mortality;

(b) To ensure the provision of necessary medical assistance and health care to all children with emphasis on the development of primary health care;

(c) To combat disease and malnutrition, including within the framework of primary health care, through, inter alia, the application of readily available technology and through the provision of adequate nutritious foods and clean drinking-water, taking into consideration the dangers and risks of environmental pollution;

(d) To ensure appropriate pre-natal and post-natal health care for mothers;

(e) To ensure that all segments of society, in particular parents and children, are informed, have access to education and are supported in the use of basic knowledge of child health and nutrition, the advantages of breastfeeding, hygiene and environmental sanitation and the prevention of accidents;

(f) To develop preventive health care, guidance for parents and family planning education and services.

3. States Parties shall take all effective and appropriate measures with a view to abolishing traditional practices prejudicial to the health of children.

4. States Parties undertake to promote and encourage international co-operation with a view to achieving progressively the full realization of the right recognized in the present article. In this regard, particular account shall be taken of the needs of developing countries.

Article 25

States Parties recognize the right of a child who has been placed by the competent authorities for the purposes of care, protection or treatment of his or her physical or mental health, to a periodic review of the treatment provided to the child and all other circumstances relevant to his or her placement.

Article 26

1. States Parties shall recognize for every child the right to benefit from social security, including social insurance, and shall take the necessary measures to achieve the full realization of this right in accordance with their national law.

2. The benefits should, where appropriate, be granted, taking into account the resources and the circumstances of the child and persons having responsibility for the maintenance of the child, as well as any other consideration relevant to an application for benefits made by or on behalf of the child.

Article 27

1. States Parties recognize the right of every child to a standard of living adequate for the child's physical, mental, spiritual, moral and social development.

2. The parent(s) or others responsible for the child have the primary responsibility to secure, within their abilities and financial capacities, the conditions of living necessary for the child's development.

3. States Parties, in accordance with national conditions and within their means, shall take appropriate measures to assist parents and others responsible for the child to implement this right and shall in case of need provide material assistance and support programmes, particularly with regard to nutrition, clothing and housing.

4. States Parties shall take all appropriate measures to secure the recovery of maintenance for the child from the parents or other persons having financial responsibility for the child, both within the State Party and from abroad. In particular, where the person having financial responsibility for the child lives in a State

different from that of the child, States Parties shall promote the accession to international agreements or the conclusion of such agreements, as well as the making of other appropriate arrangements.

Article 28

1. States Parties recognize the right of the child to education, and with a view to achieving this right progressively and on the basis of equal opportunity, they shall, in particular:

(a) Make primary education compulsory and available free to all;

(b) Encourage the development of different forms of secondary education, including general and vocational education, make them available and accessible to every child, and take appropriate measures such as the introduction of free education and offering financial assistance in case of need;

(c) Make higher education accessible to all on the basis of capacity by every appropriate means;

(d) Make educational and vocational information and guidance available and accessible to all children;

(e) Take measures to encourage regular attendance at schools and the reduction of drop-out rates.

2. States Parties shall take all appropriate measures to ensure that school discipline is administered in a manner consistent with the child's human dignity and in conformity with the present Convention.

3. States Parties shall promote and encourage international cooperation in matters relating to education, in particular with a view to contributing to the elimination of ignorance and illiteracy throughout the world and facilitating access to scientific and technical knowledge and modern teaching methods. In this regard, particular account shall be taken of the needs of developing countries.

Article 29

1. States Parties agree that the education of the child shall be directed to:

(a) The development of the child's personality, talents and mental and physical abilities to their fullest potential;

(b) The development of respect for human rights and fundamental freedoms, and for the principles enshrined in the Charter of the United Nations;

(c) The development of respect for the child's parents, his or her own cultural identity, language and values, for the national values of the country in which the child is living, the country from which he or she may originate, and for civilizations different from his or her own;

(d) The preparation of the child for responsible life in a free society, in the spirit of understanding, peace, tolerance, equality of sexes, and friendship among all peoples, ethnic, national and religious groups and persons of indigenous origin;

(e) The development of respect for the natural environment.

2. No part of the present article or article 28 shall be construed so as to interfere with the liberty of individuals and bodies to establish and direct educational institutions, subject always to the observance of the principle set forth in paragraph 1 of the present article and to the requirements that the education given in such institutions shall conform to such minimum standards as may be laid down by the State.

Article 30

In those States in which ethnic, religious or linguistic minorities or persons of indigenous origin exist, a child belonging to such a minority or who is indigenous shall not be denied the right, in community with other members of his or her group, to enjoy his or her own culture, to profess and practise his or her own religion, or to use his or her own language.

Article 31

1. States Parties recognize the right of the child to rest and leisure, to engage in play and recreational activities appropriate to the age of the child and to participate freely in cultural life and the arts.

2. States Parties shall respect and promote the right of the child to participate fully in cultural and artistic life and shall encourage the provision of appropriate and equal opportunities for cultural, artistic, recreational and leisure activity.

Article 32

1. States Parties recognize the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development.

2. States Parties shall take legislative, administrative, social and educational measures to ensure the implementation of the present article. To this end, and having regard to the relevant provisions of other international instruments, States Parties shall in particular:

(a) Provide for a minimum age or minimum ages for admission to employment;

(b) Provide for appropriate regulation of the hours and conditions of employment;

(c) Provide for appropriate penalties or other sanctions to ensure the effective enforcement of the present article.

Article 33

States Parties shall take all appropriate measures, including legislative, administrative, social and educational measures, to protect children from the illicit use of narcotic drugs and psychotropic substances as defined in the relevant international treaties, and to prevent the use of children in the illicit production and trafficking of such substances.

Article 34

States Parties undertake to protect the child from all forms of sexual exploitation and sexual abuse. For these purposes, States Parties shall in particular take all appropriate national, bilateral and multilateral measures to prevent:

(a) The inducement or coercion of a child to engage in any unlawful sexual activity;

(b) The exploitative use of children in prostitution or other unlawful sexual practices;

(c) The exploitative use of children in pornographic performances and materials.

Article 35

States Parties shall take all appropriate national, bilateral and multilateral measures to prevent the abduction of, the sale of or traffic in children for any purpose or in any form.

Article 36

States Parties shall protect the child against all other forms of exploitation prejudicial to any aspects of the child's welfare.

Article 37

States Parties shall ensure that:

(a) No child shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment. Neither capital punishment nor life imprisonment without possibility of release shall be imposed for offences committed by persons below eighteen years of age;

(b) No child shall be deprived of his or her liberty unlawfully or arbitrarily. The arrest, detention or imprisonment of a child shall be in conformity with the law and shall be used only as a measure of last resort and for the shortest appropriate period of time;

(c) Every child deprived of liberty shall be treated with humanity and respect for the inherent dignity of the human person, and in a manner which takes into account the needs of persons of his or her age. In particular, every child deprived of liberty shall be separated from adults unless it is considered in the child's best interest not to do so and shall have the right to maintain contact with his or her family through correspondence and visits, save in exceptional circumstances;

(d) Every child deprived of his or her liberty shall have the right to prompt access to legal and other appropriate assistance, as well as the right to challenge the legality of the deprivation of his or her liberty before a court or other competent, independent and impartial authority, and to a prompt decision on any such action.

Article 38

1. States Parties undertake to respect and to ensure respect for rules of international humanitarian law applicable to them in armed conflicts which are relevant to the child.

2. States Parties shall take all feasible measures to ensure that persons who have not attained the age of fifteen years do not take a direct part in hostilities.

3. States Parties shall refrain from recruiting any person who has not attained the age of fifteen years into their armed forces. In recruiting among those persons who have attained the age of fifteen years but who have not attained the age of eighteen years, States Parties shall endeavour to give priority to those who are oldest.

4. In accordance with their obligations under international humanitarian law to protect the civilian population in armed conflicts, States Parties shall take all feasible measures to ensure protection and care of children who are affected by an armed conflict.

Article 39

States Parties shall take all appropriate measures to promote physical and psychological recovery and social reintegration of a child victim of: any form of neglect, exploitation, or abuse; torture or any other form of cruel, inhuman or degrading treatment or punishment; or armed conflicts. Such recovery and reintegration shall take place in an environment which fosters the health, self-respect and dignity of the child.

Article 40

1. States Parties recognize the right of every child alleged as, accused of, or recognized as having infringed the penal law to be treated in a manner consistent with the promotion of the child's sense of dignity and worth, which reinforces the child's respect for the human rights and fundamental freedoms of others and which takes into account the child's age and the desirability of promoting the child's reintegration and the child's assuming a constructive role in society.

2. To this end, and having regard to the relevant provisions of international instruments, States Parties shall, in particular, ensure that:

(a) No child shall be alleged as, be accused of, or recognized as having infringed the penal law by reason of acts or omissions that were not prohibited by national or international law at the time they were committed;

(b) Every child alleged as or accused of having infringed the penal law has at least the following guarantees:

(i) To be presumed innocent until proven guilty according to law;

(ii) To be informed promptly and directly of the charges against him or her, and, if appropriate, through his or her parents or legal guardians, and to have legal or other appropriate assistance in the preparation and presentation of his or her defence;

(iii) To have the matter determined without delay by a competent, independent and impartial authority or judicial body in a fair hearing according to law, in the presence of legal or other appropriate assistance and, unless it is considered not to be in the best interest of the child, in particular, taking into account his or her age or situation, his or her parents or legal guardians;

(iv) Not to be compelled to give testimony or to confess guilt; to examine or have examined adverse witnesses and to obtain the participation and examination of witnesses on his or her behalf under conditions of equality;

(v) If considered to have infringed the penal law, to have this decision and any measures imposed in consequence thereof reviewed by a higher competent, independent and impartial authority or judicial body according to law;

(vi) To have the free assistance of an interpreter if the child cannot understand or speak the language used;

(vii) To have his or her privacy fully respected at all stages of the proceedings.

3. States Parties shall seek to promote the establishment of laws, procedures, authorities and institutions specifically applicable to children alleged as, accused of, or recognized as having infringed the penal law, and, in particular:

(a) The establishment of a minimum age below which children shall be presumed not to have the capacity to infringe the penal law;

(b) Whenever appropriate and desirable, measures for dealing with such children without resorting to judicial proceedings, providing that human rights and legal safeguards are fully respected.

4. A variety of dispositions, such as care, guidance and supervision orders; counselling; probation; foster care; education and vocational training programmes and other alternatives to institutional care shall be available to ensure that children are dealt with in a manner appropriate to their well-being and proportionate both to their circumstances and the offence.

Article 41

Nothing in the present Convention shall affect any provisions which are more conducive to the realization of the rights of the child and which may be contained in:

(a) The law of a State party; or

(b) International law in force for that State.

PART II

Article 42

States Parties undertake to make the principles and provisions of the Convention widely known, by appropriate and active means, to adults and children alike.

Article 43

1. For the purpose of examining the progress made by States Parties in achieving the realization of the obligations undertaken in the present Convention, there shall be established a Committee on the Rights of the Child, which shall carry out the functions hereinafter provided.

2. The Committee shall consist of ten experts of high moral standing and recognized competence in the field covered by this Convention. The members of the Committee shall be elected by States Parties from among their nationals and shall serve in their personal capacity, consideration being given to equitable geographical distribution, as well as to the principal legal systems.

3. The members of the Committee shall be elected by secret ballot from a list of persons nominated by States Parties. Each State Party may nominate one person from among its own nationals.

4. The initial election to the Committee shall be held no later than six months after the date of the entry into force of the present Convention and thereafter every second year. At least four months before the date of each election, the Secretary-General of the United Nations shall address a letter to States Parties inviting them to submit their nominations within two months. The Secretary-General shall subsequently prepare a list in alphabetical order of all persons thus nominated, indicating States Parties which have nominated them, and shall submit it to the States Parties to the present Convention.

5. The elections shall be held at meetings of States Parties convened by the Secretary-General at United Nations Headquarters. At those meetings, for which two thirds of States Parties shall constitute a quorum, the persons elected to the Committee shall be those who obtain the largest number of votes and an absolute majority of the votes of the representatives of States Parties present and voting.

6. The members of the Committee shall be elected for a term of four years. They shall be eligible for re-election if renominated. The term of five of the members elected at the first election shall expire at the end of two years; immediately after the first election, the names of these five members shall be chosen by lot by the Chairman of the meeting.

7. If a member of the Committee dies or resigns or declares that for any other cause he or she can no longer perform the duties of the Committee, the State Party which nominated the member shall appoint another expert from among its nationals to serve for the remainder of the term, subject to the approval of the Committee.

8. The Committee shall establish its own rules of procedure.

9. The Committee shall elect its officers for a period of two years.

10. The meetings of the Committee shall normally be held at United Nations Headquarters or at any other convenient place as determined by the Committee. The Committee shall normally meet annually. The duration of the meetings of the Committee shall be determined, and reviewed, if necessary, by a meeting of the States Parties to the present Convention, subject to the approval of the General Assembly.

11. The Secretary-General of the United Nations shall provide the necessary staff and facilities for the effective performance of the functions of the Committee under the present Convention.

12. With the approval of the General Assembly, the members of the Committee established under the present Convention shall receive emoluments from United Nations resources on such terms and conditions as the Assembly may decide.

Article 44

1. States Parties undertake to submit to the Committee, through the Secretary-General of the United Nations, reports on the measures they have adopted which give effect to the rights recognized herein and on the progress made on the enjoyment of those rights:

(a) Within two years of the entry into force of the Convention for the State Party concerned;

(b) Thereafter every five years.

2. Reports made under the present article shall indicate factors and difficulties, if any, affecting the degree of fulfilment of the obligations under the present Convention. Reports shall also contain sufficient information to provide the Committee with a comprehensive understanding of the implementation of the Convention in the country concerned.

3. A State Party which has submitted a comprehensive initial report to the Committee need not, in its subsequent reports submitted in accordance with paragraph 1 (b) of the present article, repeat basic information previously provided.

4. The Committee may request from States Parties further information relevant to the implementation of the Convention.

5. The Committee shall submit to the General Assembly, through the Economic and Social Council, every two years, reports on its activities.

6. States Parties shall make their reports widely available to the public in their own countries.

Article 45

In order to foster the effective implementation of the Convention and to encourage international co-operation in the field covered by the Convention:

(a) The specialized agencies, the United Nations Children's Fund, and other United Nations organs shall be entitled to be represented at the consideration of the implementation of such provisions of the present Convention as fall within the scope of their mandate. The Committee may invite the specialized agencies, the United Nations Children's Fund and other competent bodies as it may consider appropriate to provide expert advice on the implementation of the Convention in areas falling within the scope of their respective mandates. The Committee may invite the specialized agencies, the United Nations Children's Fund, and other United Nations organs to submit reports on the implementation of the Convention in areas falling within the scope of their activities;

(b) The Committee shall transmit, as it may consider appropriate, to the specialized agencies, the United Nations Children's Fund and other competent bodies, any reports from States Parties that contain a request, or indicate a need, for technical advice or assistance, along with the Committee's observations and suggestions, if any, on these requests or indications;

(c) The Committee may recommend to the General Assembly to request the Secretary-General to undertake on its behalf studies on specific issues relating to the rights of the child;

(d) The Committee may make suggestions and general recommendations based on information received pursuant to articles 44 and 45 of the present Convention. Such suggestions and general recommendations shall be transmitted to any State Party concerned and reported to the General Assembly, together with comments, if any, from States Parties.

PART III

Article 46

The present Convention shall be open for signature by all States.

Article 47

The present Convention is subject to ratification. Instruments of ratification shall be deposited with the Secretary-General of the United Nations.

Article 48

The present Convention shall remain open for accession by any State. The instruments of accession shall be deposited with the Secretary-General of the United Nations.

Article 49

1. The present Convention shall enter into force on the thirtieth day following the date of deposit with the Secretary-General of the United Nations of the twentieth instrument of ratification or accession.

2. For each State ratifying or acceding to the Convention after the deposit of the twentieth instrument of ratification or accession, the Convention shall enter into force on the thirtieth day after the deposit by such State of its instrument of ratification or accession.

Article 50

1. Any State Party may propose an amendment and file it with the Secretary-General of the United Nations. The Secretary-General shall thereupon communicate the proposed amendment to States Parties, with a request that they indicate whether they favour a conference of States Parties for the purpose of considering and voting upon the proposals. In the event that, within four months from the date of such communication, at least one third of the States Parties favour such a conference, the Secretary-General shall convene the conference under the auspices of the United Nations. Any amendment adopted by a majority of States Parties present and voting at the conference shall be submitted to the General Assembly for approval.

2. An amendment adopted in accordance with paragraph 1 of the present article shall enter into force when it has been approved by the General Assembly of the United Nations and accepted by a two-thirds majority of States Parties.

3. When an amendment enters into force, it shall be binding on those States Parties which have accepted it, other States Parties still being bound by the provisions of the present Convention and any earlier amendments which they have accepted.

Article 51

1. The Secretary-General of the United Nations shall receive and circulate to all States the text of reservations made by States at the time of ratification or accession.

2. A reservation incompatible with the object and purpose of the present Convention shall not be permitted.

3. Reservations may be withdrawn at any time by notification to that effect addressed to the Secretary-General of the United Nations, who shall then inform all States. Such notification shall take effect on the date on which it is received by the Secretary-General

Article 52

A State Party may denounce the present Convention by written notification to the Secretary-General of the United Nations. Denunciation becomes effective one year after the date of receipt of the notification by the Secretary-General.

Article 53

The Secretary-General of the United Nations is designated as the depositary of the present Convention.

Article 54

The original of the present Convention, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations.

IN WITNESS THEREOF the undersigned plenipotentiaries, being duly authorized thereto by their respective governments, have signed the present Convention.

VIII. Country Index

Bangladesh i, iii-v, vii, viii, 2, *4*, 6, 10, *14*-15, 21, 24-25, 29, 32, 38-41, 44, 51, 56-59, *61*, *63-64*, 78, *84*, 89-91, 109-114, 117, 119-120, 144, 147-*148*, *164*, 167-169.

Brazil i, iii-v, vii-viii, 2, *4*,-6, 10, 14-15, 18, 20, 25, 29, 33, 35, 38-*39*, 41-42, 44, 47-48, 50-51, 53, 56-59, *61*-62, 64-65, 67-68, 72, 77-79, 80, *84*-86, 89, 92, 95, 101-103, 109-114, 117, 121-122, *146-149*, *164*, *167*, *170-171*.

Egypt i, iv-vi, viii, 2, 7, 10, *14*-16, 18, 20, 24-25, 38-*39*, 42, 44-45, 48, 50, 56-59, *61*, *64*-65, 72, 78, *84*, 109, 112-113, 117, 122, *148*-149, 150-151, *164*, *167*, *172-173*.

Guatemala i, iv-vi, 2, *4*, 6, 10, *14*-19, 20, 24, 27, 35, 38-*39*, 41-42, 44, 49, 56-57, 59, *61*-65, 70, 75, *84*, 89, 93, 109, 112-113, 117, 125, *151*, 157, *164*, *167*, *174-175*.

India i, iii, iv-vi, viii, 2, 5-6, 10, *14*-16, 21, 23-26, 28, 32, 34-35, 38-41, 44, 46, 48-50, 52, *57*-59, *61*-62, *64*, 66, 71, 74, 84, 92, 98, 101, 104-106, 109-110, 112-113, 115, 117, 126, 145, 151-152, *152*, *164*, *167*, *174-175*.

Kenya i, iii-v, viii, 2, 7, 10, *14*-15, 18-19, 30, 33, *39*-42, 44-46, 49, 52, 57-59, *61*, 64, *64*, 66, 70, 84, *84*, 95-96, 109-112, 114, 117, 128, 152-*153*, *164*, *167*, *178-179*.

Mexico i, iv-vii, viii, 2, 10, *14*-15, 18-20, 23-24, 26, 33-35, 38, *39*, 41, 44-46, 50, 53, 56-59, *61*-62, 64, *64*, 68, 76, 78, 80-81, 84-86, 109, 111-114, 117, 129-130, 153-*154*, *164*, *167*, *180-181*.

Nepal i, iii-iv, viii, 2, *4*, 6, 10, *14*-15, 19-21, 26, 29-30, 32, 34-35, 38-*39*, 41-42, 44, 48, 54, *57*-59, *61-64*, 70-71, *84*-85, 88-89, 92-95, 97-98, 109-110, 112, 114, 117, 131, 145, 147, 154, *154*, 155, *164*, 167, *182-183*.

Nicaraga i, iv-vi, viii, 2, *4*, 6, *14*-15, 21, *39*, 40-41, 46, 53, 56-59, *61*, 63-65, 74, *84*, 95, 98, 109, 112-114, 117-118, 132, 146, 155, *155*, *165*, *167*, *184-185*.

Pakistan i, iii, v, viii, 2, *4*, 5-6, 10, *14*-16, 19, 21, 23-24, 26, 32, 35-36, *39*-40, 42, 44, *57*-59, *61*-64, *64*-65, 69-70, *84*, 89, 91-92, 109-110, 112-114, 117-118, 134, 145-146, 155, *156*, 157, *165*, *167*, *186-187*.

Peru i, iii-vi,viii, 2, 10, *14*-17, 20-22, 24, 26, 28, 30, 34-35, 38-*39*, 41, 43-45, 56-*57*, 59, *61*-65, 68-69, 76, *84*, 86, 89, 94-95, 98-99, 109-110, 112-114, 117-118, 135, 157, *158*, *165*, *167*, *188-189*.

Philippines i, iv-v, viii, 2, *4*, 10, *14*-15, 21, 24, 27, 29-31, 32, 35, *39*, 40-44, 46-47, 52, 56-*57*, 58-62, *64*-65, 73, 75-76, *84-85*, 95, 100-101, 107-109, 111-115, 117-118, 136-138, 145, 158, *159*, *165*, *167*, *190-191*.

South Africa i, iv-v, vii, 2, *4*, 6-7, 10, *14*-15, 32, 35, *39*, 40-41, 46, 52, 56, *57*, 58-59, *61*-62, 64, *64*, 68-69, 78, *84*, 109, 111-113, 117-118, 138, 146, *159*, *165*, *167*, *192-193*.

Tanzania i-ii, iv, viii, 2, 7, 10, *14*-15, 27, 38-*39*, 41, 54, 56-59, *61*-62, 64-65, 70, *84*, 85, 87-88, 108-112, 114, 117-118, 139, 159-160, *160*, *165*, *167*, *194-195*.

Thailand i, iii-iv, viii, 2, *4*, 10, *14*-15, 22, 31, 35, *39*, 40-41, 43-44, 46, 48, 50-51, 56-59, *61*, 64, *64*, *84*, 95-100, 109-112, 114, 117-118, 140, 145, 160, *160*, *165*, *167*, *196-197*.

Turkey i, iv-v, viii, 2, 10, 14-15, 25, *39*, 40-41, 43, 48, 52-53, 56-59, *61-62*, *64*, 66, 73, *84*-85, 88, 95, 101, 109, 111-114, 117-118, 141, 145-146, 161, *162*, *165*, *167*, *198-199*.

☆ U. S. GOVERNMENT PRINTING OFFICE: 1999-454-860/16104

U.S. Department of Labor
Bureau of International Labor Affairs
International Child Labor Program
Rm S5303
Washington, D.C. 20210
http://www.dol.gov/dol/ilab/public/programs/icip

Official Business
Penalty for Private Use $300

K-100

BULK RATE
Postage and Fees Paid
U.S. Department of Labor
Permit No. G757

BEST COPY AVAILABLE

275